NOAA LEGISLATIVE INFORMER

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LEGISLATIVE HAPPENINGS

PRESIDENT SIGNS NATIONAL SEA GRANT REAUTHORIZATION LEGISLATION

PROVISION INCLUDING LAKE CHAMPLAIN AS SIXTH GREAT LAKE DRAWS FIRE--ROLLED BACK IN EMERGENCY SUPPLEMENTAL

The President on March 6th signed the National Sea Grant College Program Reauthorization Act (PL 105-160). There was no Presidential statement accompanying the signing.

The Senate on February 12th by Unanimous Consent passed the Senate version of the bill (S 927). The previous day the bill passed the House also under Suspension of the Rules.

S 927 was slightly redrafted to reduce the discretionary funding level contained in the Senate version for *Pfiesteria* and harmful algal bloom research from up to $5 million to up to $3 million. Also, the National College Sea Grant Program authorization was extended to five years. The original House bill (HR 437), as introduced, had only reauthorized the program for three years, although two additional years were added at the request of the House Science Committee before the original bill was passed by the House by 422-3 on June 19th.

The bill also includes the Administrative Law Judge (ALJ) language that NOAA requested to continue the practice of using the US Coast Guard Administrative Law Judges to hear NOAA-related cases that require an ALJ. This action will facilitate the enforcement process, improving the timeliness of hearings, and reducing travel time and expenses for fishers.

The revised bill also modified Sea Grant authorized levels to: FY '99: $56 million; FY '00: $57 million; FY '01: $58 million; FY '02: $59 million; and FY '03: $60 million.

LAKE CHAMPLAIN PROVISION VAULTS SEA GRANT PROGRAM INTO NATIONAL PROMINENCE

Sen. Spencer Abraham (R-MI) who introduced legislation (S1738) on March 10th to annul the Lake Champlain designation said : "I am troubled by the approach taken to achieve funding for zebra mussel programs in Vermont. Rather than asking for language which would specifically allow Vermont Universities to apply for Sea Grant dollars, the definition of a Great Lake was changed to include Lake Champlain when, clearly, it is not. Lake Ontario, covering over 11,680 square kilometers, is the smallest of the Great Lakes. It is almost 17 times the size of Lake Champlain and twice as deep. Lake Superior, the largest of the Great Lakes, is over 70 times the size of Lake Champlain. Clearly Vermont's lake is not a member of this elite class."

The Michigan Republican called the designation "sheer nonsense."

Sen. Carl Levin (D-MI) on March 13th introduced compromise legislation ensuring that Lake Champlain institutions remained eligible for National Sea Grant College grant while stipulating that the New England lake is not legally considered one of the five Great Lakes. It differed from legislation (S1738) introduced on March 10th by Michigan colleague Sen. Spencer Abraham (R) which not only annuled the Lake Champlain designation but effectively prevented Sea Grant funds from being spent on the lake, which straddles the Vermont-New York border. Both bills were referred to the Commerce, Science, and Transportation Committee (Chairman John McCain, R-AZ). The House counterpart bill (HR 3260) was introduced on February 25th by Rep. Fred Upton (R-MI) and six other members of the Michigan delegation.

At a hearing on March 12th before the House Appropriations Subcommittee on Commerce, Justice, State (Chairman Harold Rogers, R-KY), Michigan Democrat Bart Stupak called the designation of Lake Champlain as the 6th Great Lake as "malarkey." He also suggested in response to a question by Chairman Rogers that if the designation remained that Lake Champlain might be required to abide by the same international treaty with Canada on water diversion as the original five Great Lakes.

PRESIDENT SIGNS EMERGENCY SUPPLEMENTAL ROLLING BACK LAKE CHAMPLAIN GREAT LAKES DESIGNATION WITH VERMONT INSTITUTIONS STILL ELIGIBLE FOR SEA GRANT FUNDING

The President on May 1st signed the Emergency Supplemental Appropriation (PL 105-174) reversing the Great Lakes designation for Lake Champlain, but essentially permitting the University of Vermont to apply for National Sea Grant College status to study the northern New England lake. The Emergency Supplemental included an amendment offered by Sens. Patrick Leahy (D-VT) and Spencer Abraham (R-MI). Passage of the amendment was highlighted on the Cable News Network and USA Today.

The 1998 Supplemental Appropriations and Rescission Act passed the Senate 88-11 (S 1768) and the House (HR 3579) 242-163 on April 30th.

Sen. Leahy said in a Senate floor at the time he offered his amendment to S 1768: "For the most part, this Great Lakes debate has not been a dispute among scientists who know the common history and problems facing these lakes, but among politicians and columnists and radio talk show hosts. By pooling all of our resources on freshwater lake research and allowing schools conducting research

on Lake Champlain to directly participate in the Sea Grant College Program, we are going to be better prepared to solve these environmental and economic problems. We have already heard from scientists who are excited about the prospect of sharing information and starting joint research projects to address these problems."

Sen. Abraham said: "…although this designation only applied for purposes of the Sea Grant Program Act, it still created a serious perception problem. The residents of the Great Lakes take great pride in the Lakes. In all the world, there is no comparable system of fresh water. Even for the limited purposes outlined in this Sea Grant Program Act, the designation of any lake as a Great Lake beyond the original five was simply unacceptable. So this legislation introduced today strikes any reference to Lake Champlain as a Great Lake."

Sen. Levin said: "…there is no reason why Lake Champlain should not be able to compete for funds where they face a common problem with the Great Lakes, such as zebra mussels or contaminated sediments. So that was never the problem. The problem was the redesignation of Lake Champlain as a Great Lake, and that is what created the difficulty."

Sen. Olympia Snowe (R-ME), chairman of the Oceans and Fisheries Subcommittee, joined in a colloquy with Sen. Abraham affirming the intent of the amendment. Rep. Fred Upton (R-MI) led House efforts to reverse the designation through the introduction of HR 3260.

NOAA ANNOUNCES 1999 BUDGET

The Administration on February 2nd requested a NOAA budget of $2.1 billion for fiscal year 1999, which represents a five-percent increase over last year's request. NOAA's responsibilities include predicting changes in the Earth's environment and conserving and managing the nation's coastal and marine resources.

"The President's fiscal year 1999 budget request shows strong support for the important mission of NOAA and will support advances in achieving our goals such as forecasting the weather and managing our nation's fisheries," said Commerce Secretary William M. Daley. "This budget also provides the resources for two important areas: the Natural Disaster Reduction Initiative and the Clean Water Initiative."

Relative to fiscal year 1998 currently available funds, significant changes in the fiscal year 1999 budget include:

•$28.3 million to maintain the National Weather Service operational infrastructure and ensure the provision of weather warnings and forecasts to the public, consistent with the recommendations contained in a study released in October of 1997 by General John F. Kelly (later to be named National Weather Service Director).

•$151.2 million for continuing geostationary and polar weather satellite development and acquisition; and $30.7 million to converge civilian and military polar-orbiting satellites.

•A total of $55 million for the Natural Disaster Reduction Initiative (NDRI), which includes $19.9 million to build on the modernized weather service infrastructure and improve flood forecasting and water management; improve national- and regional-scale weather prediction models; and enhance other disaster mitigation efforts. Additional increases for NDRI efforts are included in other areas of the NOAA budget to mitigate the effects of coastal hazards and to address air quality issues.

•$33.6 million to continue the President's commitment to restore the wealth of America's fisheries, protect marine species faced with extinction, and conserve habitat important to living marine resources through the implementation of NOAA's management and research obligations under the Magnuson-Stevens Fisheries Conservation and Management Act, Endangered Species Act, Marine Mammal Protection Act, and other authorities.

•$24.5 million to improve NOAA's coastal stewardship responsibilities, including total funding of $22 million in support of the Clean Water Initiative, which will strengthen critical capabilities of NOAA's Coastal Zone Management Program and Coastal Nonpoint Pollution Control Program and address outbreaks of *Pfiesteria* and other harmful algal blooms, and other symptoms of degraded coastal ecosystems.

•$4.0 million needed to improve our understanding of climate and air quality and provide the scientific basis for national policy decisions in key environmental areas.

•$4.2 million to complete construction of the Santa Cruz Research Laboratory.

"This budget is based on the resources needed for NOAA to achieve its mission, as outlined in the NOAA Strategic Plan and the seven major agency goals, and the requirement to be more effective, to identify and realize opportunities for savings, and to focus the efforts of government on what matters to the people," stated Dr. D. James Baker, NOAA Administrator and Under Secretary for Oceans and Atmosphere.

AMENDED YEAR OF THE OCEANS RESOLUTION REPORTED OUT OF SENATE COMMERCE COMMITTEE

The Senate Commerce, Science, and Transportation Committee (Chairman John McCain, R-AZ) on March 12th passed and reported a substitute version of the International Year of the Ocean Resolution (HConRes 131). which the House passed on November 13th by Unanimous Consent. The substitute was introduced by Sens. Olympia Snowe (R-ME) and John Kerry (D-MA). It added language urging increased international cooperation "to enhance oceanographic research and exploration," closer private sector cooperation, and encourage programs that "use education and the arts to increase public awareness of the ocean and the need to conserve and sustainably manage ocean resources."

Sen. Snowe said: "this resolution will highlight the importance of the world's oceans to the health of the planet and its peoples, the problems facing the oceans, and the need for concerted effort by all ocean nations to address these problems."

Senate floor passage of the amended Year of the Ocean Resolution is expected to occur shortly.

THE HOUSE PASSES NOAA HYDROGRAPHIC SERVICES BILL AUTHORIZING $781 MILLION FOR NAUTICAL SURVEYS OVER NEXT FIVE YEARS; "BUY AMERICAN" FLOOR AMENDMENT ADOPTED

The House, by Unanimous Consent, on April 22nd passed HR 3164, the "Hydrographic Services Improvement Act of 1998. The bill clarifies NOAA's authorities related to acquiring hydrographic survey data; promulgating standards for hydrographic data and related services used or provided by NOAA ensuring comprehensive geographic coverage of hydrographic services; and developing, and implementing for the United States, international standards for hydrographic services. The bill was introduced by Rep. Jim Saxton (R-NJ) on February 5th and was reported out of the Resources Committee (Chairman Don Young, R-NJ) on March 12th. It authorizes about $781 million in federal expenditures from Fiscal Year 1999 to 2003.

Rep. James Saxton (R-NJ), floor manager and chairman of the Resources Subcommittee on Fisheries Conservation, Wildlife and Oceans, said the bill will "speed up critically important" navigation charting. It will accelerate reducing the some 30 year surveying backlog by " 30 percent faster with this bill…its an important step in the right direction," the New Jersey Republican said. The Democrat floor manager, Del. Eni Faleomavaega (D-GU) noted that NOAA charting capacity had fallen on "hard times" with the reduction of the NOAA hydrographic fleet from 11 to three ships. There are 39,000 square miles with inadequate surveys. The bill allows NOAA to modernize its nautical charting capabilities "while allowing maximum opportunity to the private sector to participate," he said. The Guam Democrat noted that the bill will allow NOAA to select private sector hydrographers to conduct surveys based on their history of accurate surveying, instead of the price of their bid. "This is especially important, because lives are at stake (based on the correctness of the surveys)," he said. The floor managers, accepted an amendment offered by Rep. James Traficant (D-OH) requiring that NOAA comply with the "Buy America" Act in administering the bill's provisions.

Currently, there is no Senate bill, but it is anticipated that the Senate Commerce Committee (Chairman John McCain, R-AZ) may take up the issue at some future date.

As reported, the bill clarifies NOAA's authorities related to acquiring hydrographic survey data; promulgating standards for hydrographic data and related services used or provided by NOAA ensuring comprehensive geographic coverage of hydrographic services; and developing, and implementing for the United States, international standards for hydrographic services. To the greatest extent practicable and cost-effective, NOAA is to meet these obligations through contracts or other agreements with private sector entities. Where appropriate, NOAA is directed to cooperate with other Federal agencies. All contracts for hydrographic data acquisition are to be awarded under the qualifications-based provisions of the "Brooks Act."

NOAA also is authorized to design and install "physical oceanographic real-time systems" ("PORTS"), so long as a local sponsor or another Federal agency agrees to fund operation and maintenance of those systems. After October 1, 1999, any PORTS now in operation must be terminated if by that date no local sponsor has agreed to fund operation and maintenance of the system. Currently, there are PORTS programs which service the ports of New York-New Jersey, San Francisco, Houston-Galveston, and Tampa Bay.

The bill states that, after the date of enactment, NOAA may not establish any fee or other charge for the provision of any hydrographic service except as provided in the bill, nor may it increase any existing fee except as authorized under 44 USC 1307 (an existing nautical chart user fee statute).

The bill also established requirements for three reports to Congress, each to be submitted not later than six months after the date of enactment. The reports are to address (1) a plan to increase contracting with the private sector for photogrammetric and remote sensing services related to hydrographic data acquisition; (2) the status of "PORTS" including an assessment of whether the technology can enhance economic competitiveness and environmental protection in U.S. ports; whether safety and efficiency of commercial navigation could be enhanced by increased use of PORTS; and a plan , with cost estimates, to implement PORTS in priority locations; and (3) a plan to ensure that Federal competence and expertise in hydrographic surveying will be maintained after the decommissioning of NOAA's three remaining active survey vessels.

SENATE AGRICULTURE COMMITTEE LEADERSHIP AGREES TO DROP AQUACULTURE AND AGRICULTURE WEATHER PROVISIONS OPPOSED BY NOAA FROM AGRICULTURE RESEARCH BILL

In a colloquy on the Senate floor on February 28th, the chairman of the Senate Agriculture, Nutrition, and Forestry Committee (Sen. Richard Lugar, R-IN) agreed to drop provisions in S 1150, the Agriculture Research, Extension, and Education Reform Act of 1997 that NOAA found objectionable. In response to questions raised by both the Chairman and the Ranking Democrat on the Senate Commerce, Science, and Transportation Committee (Sens. John McCain, R-AZ, and Ernest Hollings, D-SC, respectively), Sen. Lugar said: "While the Agriculture Committee has an interest in both agricultural weather research and freshwater aquaculture, Senator (Tom) Harkin (D-IA, Ranking Democrat) and I acknowledge the Commerce Committee's concerns and will accommodate them."

Sen. McCain stated in the colloquy that "the Commerce Committee has expressed serious concerns about sections of the Senate version of S 1150 which deal with aquaculture and weather activities. These provisions make changes to existing law relating to marine and estuarine aquaculture as well as federal weather activities, subjects that are within the jurisdiction of the Commerce Committee. The Commerce Committee believes that these changes are significant and need to be thoroughly reviewed in the Commerce Committee before they are enacted. We have, therefore, requested that the Senate Agriculture Committee con-

ferees agree to drop these provisions during the conference on S 1150." Sen. Hollings added that "the provisions on aquaculture and weather activities in the Senate-passed version of S 1150 substantially affect important issues within the Commerce Committee's jurisdiction and we need to examine and formally consider the provisions in our committee before we can agree to their enactment." The Conference Report, HRpt 105-492 was published in the Congressional Record in late April.

PRESIDENT SIGNS FAA BILL AUTHORIZING $16.6 MILLION FOR WEATHER RESEARCH FOR FY '99

The President on February 11th signed the Federal Aviation Administration (FAA) Research, Engineering, and Development Authorization Act of 1997 (PL 105-155/HR 1271), which passed the House by Unanimous Consent on February 4th. It authorizes $16.6 million for weather projects and activities. This is the same as the amount of the Fiscal Year 1998 FAA appropriation, but significantly above the Administration request.

An amended version of the bill had passed the Senate on October 13th by Unanimous Consent. Rep. Connie Morella (R-MD), Chairman of the House Science Subcommittee on Technology, told her House colleagues that Fiscal Year 1999 authorization levels "ensures that sufficient funding is available …to improve weather information. Improving weather information is especially important since it is both the single largest contributor to delays and a major factor in aircraft accidents."

The House Report (HRpt 105-61) accompanying the bill quoted the FAA Research, Engineering and Development Advisory Committee and the National Academy of Sciences as urging the FAA to give a higher priority to weather research projects. NOAA works closely with the FAA on weather-related activities such as the Automated Surface Observing System (ASOS). ASOS is used to take weather observations at airports which can be accessed by pilots.

HOUSE SCIENCE COMMITTEE FAVORS STUDY OF MOVING EPA RESEARCH TO "NON-REGULATORY" AGENCIES LIKE SCIENCE-BASED NOAA; COMMITTEE DEMOCRATS DISAGREE

The recommendation to move at least a portion of the Environmental Protection Agency (EPA)'s $670 million annual Research and Development (R&D) to NOAA, was included in the Science Committee's "Views and Estimates" report for the proposed Fiscal Year 1999 budgets for agencies under its jurisdiction. The Committee is chaired by Rep. James Sensenbrenner (R-WI). The statement was made in the section devoted to programs under the jurisdiction of the Energy and Environment Subcommittee (Chairman Ken Calvert, R-CA, offering the Committee's views about the potential conflict that arises by having a regulatory agency, such as EPA, also performing the R&D that provides the scientific bases for that agency's regulations. The Committee notes that important environmental R&D performed by other agencies, such as the National Oceanic and Atmospheric Administration (NOAA**),** *could be expanded to include most, if not all, of the current environmental R&D activities currently carried out by EPA***,** (emphasis added) and that the results of such R&D could also provide the scientific basis for EPA's regulatory functions. The Committee intends to explore the feasibility of this option**.**

Committee Democrats refused to go along with the recommendation and stated: "The Majority's suggestion that the science needs of EPA can be met through unspecified increases in the budgets of the National Oceanic and Atmospheric Administration's (NOAA) and possibly other agencies appears to directly contradict the Majority's second stated criteria for the authorization of R&D programs in our jurisdiction: "that federal R&D should be highly relevant to and tightly focused on agency missions."

A spokesman for the Majority said the recommendation to study shifting EPA R&D to NOAA was based on two elements: (1) The belief that EPA science is driven by policy priorities and not vice-versa and (2) the high esteem held by Members for NOAA's scientific methodology.

HOUSE RESOURCES SUBCOMMITEE REPORTS BILL TO RECOMMEND CHANGES IN FEDERAL OCEANS PROGRAMS

The House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman Jim Saxton, R-NJ) on April 23rd amended and reported HR 3445, the Oceans Act of 1998 that would establish a study commission on federal oceans programs. The bill was introduced on March 12th by Chairman Saxton. It along with two other bills was the subject of a March 19th subcommittee hearing. The Saxton bill would essentially set up a 16-member Presidential Commission on Ocean Policy, modeled after the Johnson Administration Stratton Commission which recommended the creation NOAA. The Commission would be composed of representatives from the states, local government, industry, academic and public interest organizations.

The Saxton bill differs in several significant aspects from the Oceans Act bill (S 1213) which passed the Senate by Unanimous Consent on November 13th. Principally, the Saxton bill does not include Senate language creating a federal interagency Oceans Council, to be led by the Commerce Department. The Saxton bill also requires an examination of the relationship between the fisheries development and fisheries conservation responsibilities of the National Marine Fisheries Service. It also authorizes only two/thirds of the $6 million in funding provided in the Senate bill and provides only per diem expenses for Commission members, instead of executive schedule pay as provided in the Senate bill. Additionally, unlike the Senate bill, the Commission members would chose their own chairman, instead of the President.

The Subcommittee accepted an amendment offered by Rep. Wayne Gilchrest (R-MD) removing U.S. economic benefits as one of Commission's goals and substituted education and training instead. Also, the Gilchrest amendment added a section requiring a review of previous and ongoing state and federal ocean and coastal activities

LATE BREAKING NEWS

SENATE UNANIMOUSLY PASSES RESOLUTION CONDEMNING ANY MOVE TOWARDS RESUMPTION OF COMMERCIAL WHALING AT INTERNATIONAL WHALING COMMISSION MEETING

The Senate on May 8th unanimously adopted SRes 226 urging the NOAA-led United States delegation to the annual meeting of the International Whaling Commission (IWC) meeting in Oman to oppose the resumption of commercial whaling and "scientific whaling." The meeting is already taking place in the Arabian Gulf state with the official plenary beginning on May 16th and lasting about one week. The Under Secretary for Oceans and Atmosphere Dr. D. James Baker heads the United States Delegation which also includes the Assistant Administrator for Fisheries Rollie Schmitten and other NOAA officials.

The resolution was introduced by Sen. Olympia Snowe (R-ME), chairman of the Commerce Subcommittee on Oceans and Fisheries. In strongly worded Senate floor statement, Sen. Snowe said: "it is imperative that the United States remain firm in its opposition to any proposals to resume commercial whaling, and that we, as a nation, continue to speak out against this practice." The Maine Republican said "unfortunately" that Norway, Japan, Russia and other countries "have begun an aggressive campaign to eliminate the moratorium and to return to the days when whales were treated as commodities."

Sen. Snowe was particularly critical of the practice of harvesting whales in the name of scientific research. "Japan is the most prominent practitioner of scientific whaling, killing 400 to 500 whales annually. Although the scientific merits of Japan's program are dubious at best, the meat taken from whales killed in the name of science is processed and sold in the marketplace."

Rep. Jack Metcalfe (R-WA) on May 7th introduced a comparable resolution, HRes 425. No action has yet to be taken in the House. In a House floor statement on May 13 condemned Norway's violation of the ban commercial whaling and its announced intention to increase the whale hunt by 30 percent in 1998.

NOAA-15 POLAR ORBITING ENVIRONMENTAL SATELLITE SUCCESSFULLY LAUNCHED ON MAY 13TH AT VANDENBERG AIR FORCE BASE

The latest satellite in the Polar Orbiting Environmental Satellite (POES) series, NOAA-15, was launched from Vandenberg Air Force Base in California on May 13th at 8:52 am PDT. NOAA-15 is slated to replace NOAA-12, launched in May 1991. Various imaging and sounding instruments will replace those of NOAA-12, as testing on the instruments is completed. The NOAA-15 should be fully operational within one year of launch, at which time NOAA-12 will be deactivated.

The satellite was launched into a near-polar orbit 845 kilometers above the Earth. It will circle the Earth every 102 minutes, passing over the North and South Poles on each orbit. NOAA-15 is the first in a series of five satellites with improved imaging and sounding capabilities that will operate over the next 12 years.

"The improved cloud, snow cover and sea surface temperature data means improved forecasts of potential flooding and drought conditions," said Ronald McPherson, director of NOAA's National Centers for Environmental Prediction, one of the primary users of polar satellite data.

NOAA-15 will also carry search and rescue instruments that are used internationally in principally locating ships and aircraft in distress. The use of satellites in search and rescue has been instrumental in saving more than 7,000 lives since the inception of the Search and Rescue Satellite-aided Tracking (SARSAT) system.

REGIONAL CONFERENCES THROUGHOUT COASTAL UNITED STATES TO BE HELD IN CONJUNCTION WITH NATIONAL OCEAN CONFERENCE; LIVE SATELLITE TELECAST PLANNED

Coastal America will be sponsoring several regional conferences throughout the coastal United States in conjunction with the National Ocean Conference in Monterey, CA. Many of the Regional Coastal Ecosystem Learning Centers will include regionally focused programs designed by the centers themselves which will include a live satellite telecast of the plenary sessions from Monterey. Regional conferences will be sponsored by the New England Aquarium in Boston, the Aquarium for Wildlife Conservation in New York City, the National Aquarium in Baltimore, the NOAA Coastal Services Center in Charleston, the Florida Aquarium in Tampa, the Texas State Aquarium/Texas A&M in Corpus Christi, the Monterey Bay Aquarium, and the Hatfield Marine Science Center in Newport, OR. The Smithsonian Institution also will be holding an event at the Museum of Natural History in Washington and several Sea Grant institutions across the country are expected to provide downlink sites where the general public can watch the proceedings.

COMMERCE NAMED AS MEMBER OF ADVISORY COMMISSION ON DROUGHT EMERGENCIES

The Commerce Department was named as one of 16 members of an National Drought Policy Commission as part of HR 3035, which was reported out of the House Transportation and Infrastructure Committee (Chairman, Rep. Bud Shuster, R-PA) on May 6th. The bill called "The National Drought Policy Act of 1997" was introduced by Rep. Joe Skeen (R-NM). The Commission, to be chaired by the Secretary of Agriculture, is to report to the President and Congress on what is needed to better prepare for drought emergencies at all levels of government, how such programs can be integrated with national policies, public education, and whether one federal agency should take the lead in establishing federal drought policies. The Commission is authorized to hold public hearings and take testimony, if it believes it necessary.

MAJOR DEVELOPMENTS

NOAA TARGETS COASTAL POLLUTION UNDER PRESIDENT'S CLEAN WATER INITIATIVE

As part of the Clinton Administration's Clean Water Action Plan unveiled in mid-February, NOAA is initiating a cross-cutting $27 million Clean Water Initiative aimed to reduce polluted runoff, a major source of coastal water pollution and a key link in outbreaks of harmful algal blooms such as *Pfiesteria*, and red and brown tides.

The Clean Water Action Plan, which marks the 25th Anniversary of the Clean Water Act (October 1977), builds on the Administration's clean water successes and unites the efforts of nine federal agencies.

NOAA will work with the Environmental Protection Agency to help 29 coastal states and territories complete development of management plans by Dec. 31, 1999 to reduce polluted runoff (also called nonpoint source pollution).

"This is the first time agencies throughout the federal government have joined in this spirit of cooperation to help protect our vital coastal resources from runoff pollution," said Dr. D. James Baker, Under Secretary for Oceans and Atmosphere.

NOAA has requested $22 million in FY 1999 to implement the coastal portion of the Administration's Clean Water Action Plan. Dr. Baker said that state coastal nonpoint pollution reduction plans will help protect coastal communities from harmful substances and reduce the flow of pollution intocoastal waters from nonpoint sources such as agricultural fields, city streets and other areas.

"In this, the International Year of the Ocean, it is crucial to educate the public about how every action, from changing a car's oil, to using pesticides and fertilizers, can affect the health of the coasts and of the ocean," Dr. Baker said.

SECRETARY DALEY ANNOUNCES A NEW COMMERCE DEPARTMENT NATURAL DISASTER REDUCTION INITIATIVE (NDRI)

Commerce Secretary William Daley announced in mid-February a intra-departmental Natural Disaster Reduction Inititiative (NDRI).

Commerce agencies involved in the NDRI include the National Oceanic and Atmospheric Administration, National Institute for Science and Technology, International Trade Administration, Bureau of Export Administration, Economic Development Administration and Bureau of Economic Analysis.

"We can do more to help prevent the damage that bad weather can do," said Daley, outlining a program that pools Commerce Department resources to help communities and businesses reduce the impact of natural disasters. "Commerce's NDRI brings together for the first time the resources of the Commerce Department to help build disaster resistant communities and jobs."

Secretary Daley described the NDRI as following a three-pronged approach. First, it seeks to lower weather-related losses through improved construction techniques. An additional $3 million a year will go for NIST research on wind, seismic and fire engineering to make buildings more disaster resistant.

Second, the NDRI will improve prediction of damaging weather and related river flooding. As the United States experiences the century's worst El Nino, costs in California alone have exceeded $500 milIion. The President's budget provides an additional $55 million a year to NOAA for weather and flood forecasting. One key element of this provision is the first phase of a national implementation of a new National Weather Service system to improve river forecasting. Daley said the National Weather Service's Advanced Hydrologic Prediction System (AHPS) provides more accurate river forecasts with greater lead times for flood mitigation. The system also provides water volume availability forecasts for water users, providing money-saving information to many sectors of the economy.

Third, the NDRI will help communities and businesses safeguard jobs in hazard-prone areas. The President is requesting $3 million per year of new funding for EDA. Secretary Daley said this will allow the Department of Commerce to work in public-private partnership to build disaster-resistant communities.

"Two thirds of federal disaster aid is weather related," said Secretary Daley. "And though we cannot prevent bad weather, we are getting better at predicting it." The soil conditions are very wet over this area and stream flow conditions show minor flooding is occurring in a number of basins over far eastern Texas, most of Louisiana, southwestern Arkansas, the southern half of Georgia, north-central Florida and along portions of the Carolina coastal plain. Locations on the Suwannee River in Florida saw some of the highest river levels in 50 years.

Department's NDRI will help save lives and protect property. We will be working closely with the Federal Emergency Management Agency, the Interior Department and other federal agencies, with state and local governments and with our nation's businesses."

FISHERIES SERVICE PROPOSES PROTECTION FOR 13 SALMON, STEELHEAD POPULATIONS ON WEST COAST

The National Marine Fisheries Service on February 26th proposed to protect under the Federal Endangered Species Act more than a dozen salmon and steelhead populations in Washington, Oregon, and California that are heading towards extinction, NOAA officials announced.

A final decision on all these populations will be made in 1999.

The populations formally proposed for protection range from sockeye salmon in tiny Ozette Lake in Washington's rugged Olympic Peninsula to chinook salmon in the state's heavily urbanized Puget Sound.

"Our West Coast salmon and steelhead face an uncertain future, but extinction is not an option," said Terry Garcia, Assistant Secretary for Oceans and Atmosphere and Deputy NOAA Administrator. "NOAA's highest priority in the next

year is to build strong partnerships leading to conservation initiatives that save these salmon runs and foster sustainable use of these species and their habitats. This is an opportunity for the states to work with us in crafting recovery solutions."

"Today's announcement is the beginning of the final stages of the listing process for salmon and steelhead populations begun more than a decade ago. By this time next year, we will have completed the evaluation of all the salmon populations, and we will turn full time to the business of recovery," said Mr. Garcia.

The health of salmon varies widely, according to the fisheries service. Puget Sound chum, for example, are at historic high levels with more than a million fish returning annually to spawn in recent years. They are not being proposed for listing.

By contrast, the population of Columbia River chum, one of the species proposed for listing today, has tumbled from annual returns of 500,000 to as few as 1,500 recently.

With initiatives to save the fish being forged in Washington and Oregon, Mr. Garcia cautioned state, tribal, and local governments not to focus simply on trying to avoid having the federal government list these fish under the Endangered Species Act.

"Several points deserve emphasis," said Mr. Garcia. "First, today's proposal is just a proposal. We have much hard work to complete over the next year to ensure that any final assessments are on target. We intend to work closely with state and tribal biologists in the interim to review the these designations and the prognosis for each of them."

"As we move into recovery planning for all the listed coastal stocks, we intend to work with all parties and the tribes to formalize a role for them in the crafting of a recovery strategy, using as the basic building blocks the state conservation efforts like that of the Oregon Coho Plan," said William Stelle, head of the fisheries service's Northwest Region in Seattle.

Mr. Stelle added, "Finally, the fundamental point is that our salmon populations are sick because our watersheds are sick. We won't recover salmon until we recover the health of the watersheds, which are their home. It is the heart of the problem, and the toughest part of the challenge."

Federal protection under the ESA is proposed for:

Ozette Lake sockeye, Hood Canal summer chum, Puget Sound chinook, upper Columbia spring chinook, middle Columbia steelhead, lower Columbia chum, lower Columbia chinook, Snake River fall chinook, upper Willamette chinook, upper Willamette steelhead, and southern Oregon/California Coast chinook, Central Valley spring chinook and Central Valley fall chinook.

Under the Endangered Species Act, a species likely to become extinct in the foreseeable future is categorized as endangered; one likely to become endangered is categorized as threatened.

Factors affecting the health of these fish vary from place to place, but typically include dam construction and operation, over harvesting, certain hatchery practices, and land-use and water-development projects that degrade water and river conditions key to salmon survival.

"These proposals should serve as a message to all of us that the status quo is simply unacceptable," Mr. Garcia added.

The fisheries service will review public comment on the proposals and any new scientific information before its final decisions are made in 1999. Written comments can be sent to Garth Griffin, NMFS Protected Resources Division, 525 NE Oregon St., Portland OR 97232-2737.

The fisheries service will also be going to local communities to collect people's comments at public hearings.

FEDERAL ENDANGERED SPECIES ACT LISTING FOR TWO WEST COAST STEELHEAD POPULATIONS; *CALIFORNIA, OREGON PLANS WILL PROTECT THREE OTHERS*

The National Marine Fisheries Service on March 13th placed two populations of West Coast steelhead trout — one in California and one straddling the Washington-Oregon border — on the Endangered Species List. Three other populations of the fish — along the Oregon coast, the northern California coast and in the famous Klamath Mountains Province of Oregon and California — will be protected by special conservation plans being designed in close coordination with California and Oregon state officials.

In Oregon, steelhead are getting much-needed help from an expanded state-federal partnership that combines species protection and state control. The state is expected to provide properly functioning aquatic habitat for the long-term survival of salmon and steelhead in Oregon. "This promises to be a new age for the Endangered Species Act," said Assistant Secretary for Oceans and Atmosphere Terry Garcia. "We are today combining regional natural resource expertise, federal responsibility for at-risk species and a serious sense of cooperation to protect one of America's most magnificent sport fish."

This is the third time the fisheries service has subscribed to a state plan in lieu of an Endangered Species Act listing. Last December, NOAA's fisheries service deferred a listing of Atlantic salmon and accepted a comprehensive conservation plan by the state of Maine. Last April, the agency accepted Oregon's conservation plan for coho salmon and refrained from listing that fish along the state's central and northern coast.

"Oregon Governor John Kitzhaber has shown the way in embracing a state-federal partnership for salmon," Mr. Garcia said. "He has fought fiercely for salmon-saving reform and he has retained an important measure of state influence."

"Make no mistake," Mr. Garcia said. "Extinction is not an option. We are committed, irrevocably and unconditionally, to that principle. But we're also committed to protecting and restoring steelhead and other salmon in the most efficient,

least disruptive way possible. The responsibility for species conservation doesn't exist solely with the federal government — the states can be part of the solution. It's through these new and tailored partnerships that species recovery will occur."All factors in steelhead declines, the fisheries service said, have to be addressed. These include timber harvesting, farming, water diversions, hydropower operations, gravel mining, urbanization, recreational angling and certain hatchery practices.

In the Klamath Mountains Province, two state conservation plans will protect steelhead found from Oregon's Elk River in the north to California's Klamath River in the south. Habitat restoration is already underway on the extensive federal lands in the area, and new fishing regulations in both states are expected to help steelhead recovery.

In addition, fisheries service officials said, California is implementing a $43 million habitat-restoration and watershed-planning project that will help conditions there. The state has also committed to a review of its forest practice rules, based on recommendations from the fisheries service.

NOAA FORMALLY DEDICATES NEW HAWAIIAN ISLANDS HUMPBACK WHALE NATIONAL MARINE SANCTUARY AT MAUI CEREMONY

On February 16th, Assistant Secretary for Atmosphere and Oceans Terry Garcia joined Hawaii Sen. Daniel Inouye (D), Reps. Neil Abercrombie (D) and Patsy Mink (D), Hawaii Lt. Governor Mazie Hirono (D), and the Director of the Hawaii Department of Land Natural Resources, Mike Wilson to formally dedicate and announce the entry of the Hawaiian Islands Humpback Whale National Marine Sanctuary into the National Marine Sanctuary Program.

Assistant Secretary Garcia summed up the significance of the event by noting that "1998 is the International Year of the Ocean, and I can't think of a better place to celebrate than in Hawaii. And I can't think of a better way to celebrate the Year of the Ocean than by dedicating this sanctuary and ensuring a legacy of protection for Hawaii's humpback whales."

The purpose of this dedication ceremony was to acknowledge NOAA's and the State of Hawaii's strong commitment to establish a federal/state partnership for the protection of humpback whales and their habitat in Hawaiian waters, and to highlight the important role of the new sanctuary to increase public awareness regarding the International Year of the Ocean and the need for enhance marine resource protection.

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COMMERCE SECRETARY DALEY APPROVES FULL PRODUCTION OF ADVANCED WEATHER INTERACTIVE PROCESSING SYSTEMS FOR NATIONAL WEATHER SERVICE FORECAST OFFICES

Commerce Secretary William M. Daley has approved the National Weather Service's plan for a full production and installation of interactive weather computer and communications systems that will help provide better weather- and flood-related services to protect life and property. The April 13th decision authorizes production of 95 additional systems necessary to improve the data flow and forecast and warning services of the National Weather Service. In total, 152 Advanced Weather Interactive Processing Systems (AWIPS) will be installed nationwide by the end of calender year 1999.

"This decision is a significant milestone in our commitment to the American people to finish the modernization and restructuring of the National Weather Service," said Secretary Daley. "When AWIPS is installed in Weather Forecast Offices all over the United States, our forecasters can take full advantage of the many modern technologies we've added over the past several years and serve the public more effectively and efficiently."

The AWIPS system will replace the National Weather Service's existing 1970s-era weather communications system known as Automation of Field Operations and Services (AFOS). AWIPS will allow forecasters to display and analyze satellite imagery, radar data, automated weather observations and computer-generated numerical forecasts, all in one workstation.

Over the past year, early versions of the sophisticated workstation and communications network were installed at a number of sites around the country for operational testing and evaluation. The tests demonstrated AWIPS' capabilities, including communication of weather satellite imagery and weather forecast guidance via a satellite broadcast network;the state-of-art workstation's ability to display and manipulate radar, satellite, and other weather data; and the operations of a central monitoring and communications facility.

The National Weather Service is using an incremental software development approach for this program as a risk reduction measure. Seventeen systems were installed for test and evaluation. Another 21 systems were authorized in early 1997 for a limited deployment; installation of these systems is complete. An order for 19 additional limited deployment systems was placed in December 1997; installation of these 19 systems begins in June. By accelerating the installation of the remaining 95 systems to an average of 10 per month, the NWS will complete deployment by the end of 1999.

To date, a network of 123 state-of-the-art NWS Doppler radars and 264 of the planned 314 NWS automated surface observing systems are operational nationwide. Two advanced geostationary weather satellites, GOES-8 and GOES-9, are keeping watch over the United States and well into the Pacific and Atlantic oceans. An identical third satellite, GOES-10, is available if one of the operational satellites fails. In addition, 13 River Forecast Centers and 119 of the planned 121 new weather forecast offices are serving the country.

AWIPS is being developed by the NWS, NOAA's Forecast Systems Laboratory in Boulder, CO, and PRC Inc. of McLean, VA.The AWIPS system earned a 1997 "Best of What's New" award from *Popular Science* magazine.

JOINT COMMERCE-NAVY NATIONAL OCEANS CONFERENCE SET FOR MID-JUNE IN MONTEREY

The Department of Commerce and U.S. Navy will co-host a National Ocean Conference on June 11th and 12th in Monterey, CA, home to the nation's largest national marine sanctuary. The conference will include other federal agencies, ocean scientists and researchers, Members of Congress, and representatives of state and local governments, industry, and interested ocean groups. President Bill Clinton plans to attend the Conference along with Vice President Al Gore.

The conference, to be held at the Naval Postgraduate School in Monterey, was conceived as a way to underscore the importance of the oceans to a vast range of vital U.S. interests, and to enhance public awareness of our nation's dependence on the ocean.

Ocean activities and concerns in the United States span a broad range of interests and are reflected in the four central themes of the conference: commerce, global security, environment and health, and education, exploration and research. The following cross-cutting issues will also be examined during the conference: ecosystem health, sustainable use of ocean and coastal resources, research, Law of the Sea, and ocean governance. 1998 has been designated by the United Nations as the International Year of the Ocean.

COMMERCE SECRETARY ANNOUNCES NEW WEATHER OFFICES PLANNED FOR CARIBOU, MAINE; AND KEY WEST, FL--EXISTING OPERATIONS TO CONTINUE AT ERIE, PA AND WILLISTON, ND UNTIL MODERNIZATION ACTIVITIES ARE COMPLETE

Commerce Secretary William M. Daley announced on March 6th plans to establish modernized weather forecast offices in Caribou, Maine and Key West, Florida. This announcement follows a two-year evaluation of weather services for these areas.

The Caribou office would be responsible for operating and maintaining the existing Hodgdon WSR-88D weather surveillance radar and providing weather forecast and warning services to the northern Maine area.

The Key West office would be responsible for operating and maintaining the existing Key West WSR-88D weather The Secretary also announced that plans to close the Erie, PA and Williston, ND weather service offices and shut down the Erie and Williston weather radars are on hold until modernization activities are complete for the Erie and Williston areas.

"I have decided that existing operations at the National Weather Service Offices in Williston and Erie and support of the Williston and Erie radars continue until the communities are confident that there is no degradation of service," said Commerce Secretary Daley. "The team's report and recommendation was based on a fully modernized weather service, which we don't have completely in place for the Williston and Erie areas at this time."

The technology that Daley referred to is the Advanced Weather Interactive Processing System (AWIPS) that will be housed at the modernized Cleveland Weather Forecast Office, which has forecast and warning responsibility for the Erie area. The Bismarck AWIPS is already in place.

AWIPS allows forecasters to display and analyze satellite imagery, radar data, automated weather observations and computer-generated numerical forecasts, all at one workstation. The Cleveland weather office is slated to get an AWIPS this summer.

"Modernization of the National Weather Service has already substantially improved the quality of weather services to the nation. By law, we must ensure that all communities receive weather services equal to the level of service they received prior to modernization," said Dr. D. James Baker, Under Secretary for Oceans and Atmosphere.

"The National Weather Service modernization plan is one of checks and balances. As necessary we have made adjustments along the way. We will continue working with communities to resolve weather service issues," said NOAA Assistant Administrator for Weather Services John J. Kelly.

In October 1995, the late Secretary of Commerce Ronald H. Brown transmitted a report to Congress prepared by a departmental team that studied modernized weather services for 32 areas of the country that were concerned about weather service modernization for their area. At that time, Secretary Brown determined that for five of these areas, two-year operational evaluations were needed before a conclusion on the potential for degradation of service could be reached. The NWS recently established a northern Indiana weather forecast office and WSR-88D weather surveillance radar which mitigated service issues for northern Indiana, including the South Bend area. In addition, two other radars were installed in northern Alabama and western Arkansas.

PEOPLE IN THE NEWS---

FORMER SEA GRANT EXTENSION SPECIALIST DESIGNATED RANKING DEMOCRAT ON FISHERIES SUBCOMMITTEE

Rep. Frank Pallone, Jr., (D-NJ) on March 11th was named by Resources Committee Democrats to fill the Ranking Democratic position on the Fisheries Conservation, Wildlife and Oceans Committee (Chairman James Saxton, R-NJ). He replaces Rep. Neil Abercrombie (D-HI), who stays on the subcomittee, but not as Ranking Member.

Rep. Pallone was first elected in 1988 to represent the northern tip of the New Jersey Atlantic coastline from near Long Branch to Raritan Bay, opposite of Staten Island, New York. He is an attorney and served in the New Jersey Senate and on the Long Branch City Council. He has taken great pride in frequently mentioning his service as a National Sea Grant College Extension Specialist in New Jersey.

SECRETARY ANNOUNCES NEW DIRECTOR OF TROPICAL PREDICTION CENTER/NATIONAL HURRICANE CENTER

Commerce Secretary William M. Daley on April 23rd named Jerry D. Jarrell as the new director of the Tropical Prediction Center/ National Hurricane Center in Miami.

In making the announcement, Mr. Daley said that "Jerry Jarrell is widely known and respected by national and international emergency managers and forecasters…we are pleased that he has accepted the position as we approach the June 1st beginning of the Atlantic hurricane season." Mr. Jarrell has been acting director of the Center since September, 1997, serving as deputy to then-director Bob Burpee. He joined the Tropical Prediction Center/National Hurricane Center as deputy director under Bob Sheets in 1988.

The Miami Center, on the campus of Florida International University, is one of nine national centers which comprise the National Centers for Environmental Prediction. It has public, marine and aviation forecast and warning responsibilities for the North Atlantic and Eastern North Pacific Ocean tropical and subtropical regions, the Caribbean and the Gulf of Mexico, and adjacent land areas. It also acts as a Regional Center for Tropical Meteorology under the auspices of the World Meteorological Organization providing forecasts to Caribbean and Central American nations and Mexico.

THOMAS KARL NAMED HEAD OF NOAA'S NATIONAL CLIMATIC DATA CENTER

Thomas Karl, a well-known and widely quoted scientist whose work in climate change has been published in scientific journals around the world, has been named director of the National Climatic Data Center in Asheville, NC., a NOAA facility.

Karl, who has been with the climate center since 1980, most recently served as senior scientist there, where he analyzed global climate change, extreme weather events, and trends in global and U.S. climate over the past 100 years. He also led other scientists in their studies of the changing environment.

Karl holds a master's degree in meteorology from the University of Wisconsin. He is a fellow of the American Meteorological Society and chairman of the National Academy of Sciences Climate Research Committee. He has written over 85 peer-reviewed journal articles, been co-author or co-editor of numerous texts, and has published over 200 technical reportsand atlases.

Karl has been called upon by the White House and the Congress to testify and brief on matters related to climate

HOGARTH APPOINTED NOAA FISHERIES SOUTHWEST REGIONAL ADMINISTRATOR

Dr. William T. Hogarth has been appointed to head the Southwest region of the National Marine Fisheries Service announced on February 9th. Hogarth has been acting in the position since March 1997.

"Dr. Hogarth has ably demonstrated his ability to effectively handle this highly visible and critically important region," said Terry Garcia, Assistant Secretary for Oceans and Atmosphere and Deputy NOAA Administrator . "I'm pleased to have a person of his caliber in this role."

"Bill has brought to the Southwest region a wealth of knowledge about marine fisheries," said Rolland Schmitten, director of the National Marine Fisheries Service. "He is already addressing many of the complex issues that must be resolved in order to conserve the valuable marine resources under our stewardship with minimal socio-economic disruption to activities that may affect the health of those marine resources."

As acting regional administrator, Hogarth assisted in the listing of coho salmon in California, established a Pacific island area office to address the increasing activities of the Western Pacific Fisheries Management Council, and helped develop international management issues that benefit fishers in that region.

The National Marine Fisheries Service's Southwest Region covers California, Hawaii and the Pacific Islands.

DEPUTY ASSISTANT SECRETARY YOZELL SELECTED NOAA TRUSTEE REPRESENTATIVE FOR NEW BEDFORD HARBOR COUNCIL

Deputy Assistant Secretary for Oceans and Atmosphere Sally Yozell has been appointed as the National Oceanic and Atmospheric Administration Trustee Representative to the New Bedford Harbor Trustee Council, the director of the National Marine Fisheries Service announced. Yozell replaces former mayor of New Bedford John Bullard, who left the federal service to accept a fellowship at Harvard University's Kennedy School of Government.

"As NOAA's deputy assistant secretary for oceans and atmosphere, Ms. Yozell will bring a wealth of experience and leadership in environmental stewardship to the Trustee Council," said Rolland Schmitten, director of the fisheries service.

Ms.Yozell is a principal policy advisor on matters concerning marine fishery management, environmental research and coastal ecosystem conservation. She is the co-chair of the President's Aquatic Nuisance Species Task Force; a member of several other presidential task forces, including the President's South Florida Ecosystem Restoration Task Force and the Gulf of Mexico Hypoxia Interagency Task Force; and a member of the White House task force on wetlands. She also represents the Department of Commerce as a member on the National Fish and Wildlife Foundation executive board.

The Trustee Council is responsible for restoring natural resources injured by polychlorinated biphenyl (PCB) contamination of New Bedford Harbor and nearby waters of Buzzards Bay.

The Council administers a $23 million fund, derived from settlements with manufacturers that discharged PCBs in New Bedford Harbor. The fund is dedicated solely to the restoration of injured coastal resources and human uses.

ATMOSPHERIC HAPPENINGS

1997 WARMEST YEAR OF CENTURY, NOAA REPORTS

1997 was the warmest year of this century, based on land and ocean surface temperature data, reports a team of scientists from the National Oceanic and Atmospheric Administration's National Climatic Data Center in Asheville, NC.

Led by the center's Senior Scientist Tom Karl, the team analyzed temperatures from around the globe during the years 1900 to 1997 and back to 1880 for land areas. For 1997, land and ocean temperatures averaged three-quarters of a degree Fahrenheit above normal. (Normal is defined by the mean temperature, 16.5 degrees C, for the 30-years 1961-90.) The 1997 figure exceeds the previous record warm year, 1990, by 0.08 degrees Celsius. The record-breaking warm conditions of 1997 continues the pattern of very warm global temperatures. Nine of the past eleven years have been the warmest on record.

"Land temperatures did not break the previous record set in 1990, but 1997 was one of the five warmest years since 1880," said Karl. Including 1997, the top ten warmest years over the land have all occurred since 1981, and the warmest five years all since 1990. Land temperatures for 1997 averaged .14 degrees above normal, falling short of the 1990 record by one-quarter of a degree.

Ocean temperatures during 1997 also averaged three-quarters of a degree above normal, which makes it the warmest year on record, exceeding the previous record warm years of 1987 and 1995 by 0.165 of a degree Celsius.

With the new data factored in, global temperature warming trends now exceed .55 degrees Celsius per 100 years, with land temperatures warming at a somewhat faster rate. "It is likely that the sustained trend toward increasingly warmer global temperatures is related to anthropogenic increases in greenhouse gases," Karl said.

JANUARY AND FEBRUARY WARMEST AND WETTEST ON RECORD, NOAA REPORTS

Also, the first two months of 1998 were the warmest and wettest in the 104-year record of temperatures and precipitation measurements for the contiguous 48 states, according to preliminary data compiled NOAA.

During the period January-February the national average temperature was about 3 degrees Celsius compared with a normal 0 Celsius. The previous record was about 2.7 degrees Celsius. In regard to precipitation, about 15 centimeters fell, compared with a normal of 10 centimeters. The previous record was 14.25 centimeters in 1979, said William Brown of NOAA's National Climatic Data Center.

NOAA reports that California and North Dakota had their wettest February on record. Florida, Maryland, Nevada, Rhode Island and Virginia had their second wettest February since 1895. The warmest February on record took place in much of the upper Midwest and parts of the East, including Minnesota, Wisconsin, Illinois, Michigan, Ohio, Pennsylvania and Connecticut.

NOAA TO FUND STUDIES OF EL NIÑO'S EFFECTS ON U.S. COASTAL AREAS

NOAA is funding a wide range of biological and weather research into how the current El Niño will affect conditions in U.S. coastal regions this winter and spring, it was announced on February 4th.

"NOAA will award $2.1 million over the coming year to university, NOAA and other government agency scientists to study unusual environmental conditions or impacts associated with El Niño, especially those having identifiable social or economic impacts," said Dr. D. James Baker, Under Secretary for Oceans and Atmosphere and NOAA Administrator.

Daily measurements of ocean temperatures by NOAA's network of environmental satellites and climate buoys in the subtropical Pacific Ocean show that the current El Niño is one of the strongest, if not the strongest, El Niño event ever.

Will coastal storms be more intense and frequent? Will populations of fish be helped or hurt? Will coastal erosion be worse than normal, and by how much? What are El Niño's effects on coral reefs, and can we differentiate between El Niño's effects and local impacts on corals, such as pollution? The research NOAA is funding should go a long way toward answering these and other questions so important to American coastal residents and the nation as a whole.

HURRICANES MAY BE INTENSIFIED BY GLOBAL WARMING

Stronger hurricanes may accompany global warming, according to a study released February 12th by NOAA scientists. The study used an operational hurricane prediction model that simulates realistic hurricane structures.

Most hurricanes do not reach their maximum potential intensity before weakening over land or cooler ocean regions. However, those storms that do approach their upper-limit intensity are expected to be slightly stronger in the warmer climate due to the higher sea surface temperatures. A 5- to 12-percent increase in wind speeds for the strongest hurricanes is projected if tropical sea surfaces warm by almost 2 degrees Celsius, according to the study in the February 13th issue of *Science* by Thomas Knutson, Robert Tuleya and Yoshio Kurihara, all meteorologists at NOAA's Geophysical Fluid Dynamics Laboratory, located in Princeton, NJ.

The NOAA scientists simulated samples of hurricanes from both the present-day climate and from a greenhouse-gas warmed climate by linking information from their laboratory's global climate model into a high-resolution hurricane prediction model. The hurricane prediction model is the one currently used at the NOAA National Centers for Environmental Prediction, the nation's center for computer-based weather prediction.

In the study, only storms for the northwest tropical Pacific near the Philippine Islands were examined. The strongest typhoons (the term used for hurricanes in the northwest Pacific) in the present climate are found in this region. Possible changes in the frequency or location of occurrence of hurricanes were not addressed in the study.

NOAA FLOOD WARNING SYSTEM HELPED SAVE LIVES AND PROPERTY

When flood waters inundated western North Carolina twice in January, the public received early warnings from the National Weather Service. These warnings, local emergency managers said, helped save lives and property.

Much of the credit for the timely flood predictions goes to IFLOWS, the Integrated Flood Observation and Warning System, which automatically transmits weather data from solar powered rain and river gauges to give forecasters the upper hand in flood situations.

"IFLOWS enabled us to sound flood warnings up to 12 hours in advance for the people of North Carolina," explained Pat Tanner, Service Hydrologist for the weather forecast office in Greer, SC.

The advanced notice, according to Henderson County Emergency Management Coordinator Rocky Hyder, meant the difference between life and death as up to 32 centimeters of rain swamped the Smokey Mountains in 24 hours. "Having enough time to evacuate residents and prepare for the flooding accounted for the fact that we had no loss of life," said Hyder, who serves as chairman of the Western North Carolina IFLOWS consortium.

As part of the consortium, Henderson participates with 16 other North Carolina counties and the National Weather Service in funding and maintaining IFLOWS gauges at 117 strategic locations. "The gauges are sometimes our only indication that heavy rain and snow melt are about to cause severe flooding," Hyder said. The consortium includes the counties of Avery, Buncombe, Caldwell, Cherokee/Eastern Band, Clay, Graham, Haywood, Henderson, Jackson, Macon, Madison, Mitchell, Swain, Transylvania, Wautuga, and Yancey.

The IFLOWS system also proved indispensable in September of 1996 when an isolated thunderstorm dumped 31 centimeters of rain in Henderson County in only three hours. "We were monitoring the IFLOWS data and in the first hour, five inches of rain was reported," said Steve Burrus, a weather service meteorologist on duty that day. When the second hour showed 12.5 more centimeters, we sounded the alarm."The weather service's timely warning allowed for an evacuation of homes and businesses along a natural gorge of the Rocky Broad River, including campers at the Rocky River Campground who would have been swept away by the ensuing flood waters. The flash flood washed out bridges and forced the evacuation of people by helicopter, Burrus said, noting that the emergency response was prompted by the IFLOWS data.

"IFLOWS puts vital information regarding precipitation and the condition of streams and rivers at our fingertips so we can warn the public in a timely and accurate manner," said Joseph Pellisier, meteorologist-in-charge of the Greer office. "Specific knowledge of what is happening in remote areas gives our meteorologists and hydrologists a significant advantage in predicting weather-related problems downstream."

Other states taking advantage of IFLOWS include Kentucky, Virginia, New York, and Pennsylvania.

NEW SATELLITE DATA TO IMPROVE SPACE WEATHER FORECASTS

Real-time data from NASA's Advanced Composition Explorer (ACE) satellite, launched in August 1997, became part of the daily space weather forecast operations on January 23rd, providing forecasters at NOAA's Space Environment Center with a valuable tool to improve the forecasts and warnings of solar storms. Geomagnetic storms develop when masses of highly energetic charged particles are ejected from the sun and, subsequently, hit Earth's magnetic field. When the Earth encounters these storms, extraordinary fluctuations occur, at times severe enough to disrupt technological systems on satellites and on the ground. The ACE satellite measures the chemical composition of escaping particles from the sun, as well as solar winds' speed, density and magnetic field. The data is relayed to Earth by transmitter and used by forecasters to issue alerts.

The sun recently began a new 11-year solar cycle, which is expected to peak around March 2000. "The timing couldn't be better as we are moving into a new solar cycle and expecting increased solar activity that threatens technological systems on Earth," added Ernie Hildner, Space Environment Center Director.

"With ACE data we can provide the operators of technological systems additional time to adjust operations to minimize disruptions." NOAA's Space Environment Center is the nation's official source of space weather alerts and warnings. The Center continually monitors and forecasts Earth's space environment; provides accurate, reliable and useful solar-terrestrial information; and leads programs to improve services.

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OCEANIC HAPPENINGS

PLAN FOR GEORGIA COAST IS CLEAR: CLEAN ENVIRONMENT, HEALTHY ECONOMY

Georgia's coastal areas will see a cleaner environment, healthier economy, and simplified government procedures for matters relating to the region under a new comprehensive coastal management program developed by the state under the federal Coastal Zone Management Act (CZMA), according to NOAA. Georgia Dept. of Natural Resources Commissioner Lonice Barrett and Terry Garcia, Assistant Secretary for Oceans and Atmosphere and NOAA Deputy Administrator, formally approved the program January 8th at a ceremony in Savannah.

Approval of the program opens the way for an estimated $1 million in annual federal matching funds for coastal management projects; closer, coordinated assistance from NOAA and other federal agencies; and a stronger state voice concerning federal activities that impact coastal areas.

"This year our nation celebrates 'Year of the Ocean,'" Mr. Garcia said. "I can't think of a better way to kick off the celebration than welcoming the state of Georgia into the coastal zone management community. Georgia is the final link in the chain of U.S. ocean coastal states that participate in the Coastal Zone Management program, which also includes 32 out of 35 identified coastal states and territories.

"The program was drawn up by Georgia's Department of Natural Resources and addresses the state's needs and priorities. In the process, the state worked with the federal government and now becomes a partner in a larger, national effort, which recognizes the economic, environmental and aesthetic value of all our ocean and coastal areas," Mr. Garcia said. Environmentally sound development and cleaner coastal waters along Georgia's 3,750 linear kilometers of shoreline are just two in a wide array of issues covered by the management program. Public education on coastal issues, fish and wildlife conservation, coastal flooding and erosion, public access and recreation, and historic preservation are also included.

The national coastal zone management program is an outgrowth of the Coastal Zone Management Act of 1972 and subsequent re-authorizations of the law, which asks states to work with NOAA to identify, solve and prevent problems in the nation's coastal areas through innovative planning and management.

The national coastal zone management program is authorized under the Coastal Zone Management Act of 1972, as amended, which asks states to work with NOAA to identify, solve and prevent problems in the nation's coastal areas through planning and federal/state management partnerships to better coordinate and implement the CZMA.

ACTIVISTS CHARGED IN SUGARLOAF DOLPHIN RELEASE

NOAA on January 14th filed charges against several dolphin freedom activists for harassing and illegally transporting two captive dolphins in connection with their deliberate release 9.6 kilometers off the coast of Key West, FL, on May 23, 1996. Alleging multiple violations of the Marine Mammal Protection Act, NOAA assessed a maximum allowable $10,000 for each of the six counts charged, resulting in a total of $60,000 in penalties against those involved.

After the dolphins were dumped off the side of a boat, they were found injured, emaciated, and begging for food from boaters in local marinas, and were rescued by federal biologists with the help of several government agencies and private groups. Charges have been filed against Richard O'Barry of Coconut Grove, FL; Lloyd Good, III, of Sugarloaf Key, FL; Sugarloaf Dolphin Sanctuary, Inc., of Sugarloaf Key, FL; and the Dolphin Project, Inc., of South Miami, FL. All four have been charged with an illegal "take" by harassment and illegal transportation of each dolphin. Both the Sugarloaf Dolphin Sanctuary and The Dolphin Project also have been charged with failing to notify NOAA prior to the transport of the dolphins.

According to NOAA, the dolphins were transported without prior notification and not for purposes of public display, scientific research, or enhancement or survival of the species or stock. The day after they were dumped overboard and released, one of the dolphins appeared in a congested Key West marina with lacerations and begging for food. The second dolphin, found over 64 kilometers away almost two weeks after the release, also sustained deep lacerations and was emaciated. After determining that the dolphins were injured and in need of treatment, the agency, with the help of others, rescued and provided veterinary care to the dolphins. Following initial treatment, one dolphin was transported to the U.S. Navy facility in San Diego for rehabilitation. The other dolphin was found to be in considerably worse condition requiring extended rehabilitation, and remains at a Department of Agriculture licensed marine mammal public display facility in the Florida Keys.

Federal officials later seized a third dolphin from the Sugarloaf Dolphin Sanctuary, after officials with the Department of Agriculture suspended the facility's license for multiple violations of the Animal Welfare Act. The dolphins had been on public display at the Sugarloaf Lodge motel in Sugarloaf Key since 1994. Prior to that, these dolphins were part of the U.S. Navy's marine mammal research program, and had been in captivity since the late 1980's.

"These dolphins were injured, needed medical attention, and could have died. This incident underscores the need to conduct any dolphin release scientifically and with follow-up to ensure the health and welfare of the animals," said Terry Garcia, Assistant Secretary for Oceans and Atmosphere and NOAA Deputy Administrator. "Prior to the release, we repeatedly warned these individuals of the risks inherent in releasing dolphins without a scientific research permit. They agreed to apply for a permit but didn't, and released the dolphins without one. A scientific research permit, if issued, would have facilitated the development of a responsible release protocol and authorized any 'take' that could have occurred incidental to a release."

DOLPHIN FEEDING AND HARASSMENT STILL ILLEGAL

The National Marine Fisheries Service reminds people enjoying Florida's coastal waters that it is still against federal law to feed and harass wild dolphins. Recent press coverage about a local court ruling on the state's wildlife law may have confused many area residents and tourists who remember that the fisheries service conducted a federal public awareness campaign last summer in Florida.

Dolphin feeding and harassment has increased at an alarming rate throughout the Southeast in Florida, Texas and South Carolina. The flurry of feeding activity has agency officials worried that the average citizen is unaware that offering a dolphin a handout is harmful to the dolphins, dangerous to people, and illegal under the federal Marine Mammal Protection Act .

"We understand that people find it tempting to interact with wild dolphins. However, folks must understand that feeding wild dolphins is harmful and is therefore illegal under federal law. It is best for the dolphins' health and welfare to observe them at a respectful distance, to resist feeding them, and to avoid any activities that risk harassment such as chasing, touching or swimming with them" said Rollie Schmitten, director of the National Marine Fisheries Service. Feeding dolphins in the wild is illegal under the Marine Mammal Protection Act (MMPA) because the activity changes the animals' natural behavior in ways that put them at increased risk of injury or death, and may impact their ability or willingness to forage for food. The prohibition on feeding was upheld in 1993 by the U.S. Fifth Circuit Court of Appeals, and is widely supported by the scientific research and environmental communities since provisioning of any species of wildlife is known to be harmful.

FINAL BOAT IN $24 MILLION BUYOUT ANNOUNCED: PROGRAM AIDS FISHERIES RESTORATION AND FISHERS

A program that traded $24 million in federal relief funds for the rights of 78 vessels to fish for hard-pressed New England groundfish such as cod, haddock and flounder has been completed by NOAA. The 78 vessels represent 18 percent of the days used to fish groundfish in the Northeast (days-at-sea), and 22 percent of the revenue generated by groundfish landings. The program, which began in 1994, has contributed to the overall reduction in fishing for these stocks, which have historically formed the basis of New England's commercial fishery and have been near collapse in recent years. The program's purpose was to both assist fishers adversely impacted by the groundfish crisis and to aid in the long-term viability of the groundfish fishery. Of the 78 vessels, 53 were homeported in Massachusetts, 21 in Maine, two in New Hampshire, and one each in Rhode Island and New York. To prevent transfer of effort into other fisheries, the vessels had to be scrapped, legally sunk, or put to uses that would preclude the capacity to fish. Of the 78, 61 were scrapped and seven sunk, and six are being used for research or education and four for harbor patrol or humanitarian pursuits.

$7.5 MILLION CONTRACT AWARDED TO RIVER ROAD CONSTRUCTION INC. FOR TWO LARGE WETLANDS CREATION PROJECTS IN ST. MARY'S PARISH,LA

A $7.5 million contract to return Atchafalaya River sediment into two former wetlands areas in the Atchafalaya Bay near Big Island, to immediately create 480 hectares of wetlands and another 1,200 hectares over the next 20 years has been awarded to a Mandeville, Louisiana company. The announcement was made jointly on January 22nd by the Louisiana Department of Natural Resources, Louisiana Department of Wildlife and Fisheries, and the National Marine Fisheries Service.

The Big Island project will restore freshwater and sediment delivery processes to the northwestern portion of the Atchafalaya River delta. The completed project will create nearly 360 hectares of delta wetlands and allow natural delta growth which, over 20 years, is expected to create an additional 360 hectares of wetland habitat. Construction will create a series of distributary channels having a combined length of about 7,200 meters, extending from the Atchafalaya River into the shallow waters west of Big Island. Dredged material will be placed in a pattern to mimic natural delta lobes that will trap sediments from the river, causing expansion of the delta and eventual wetland growth.

A similar plan, the Atchafalaya Sediment Delivery project, will be implemented concurrently on the eastern side of the federal navigation channel to restore freshwater and sediment delivery processes to the northeastern portion of the delta. Construction will create nearly 120 hectares of delta wetlands and allow natural delta growth which, over 20 years, is expected to create an additional 680 hectares of wetland habitat. Two sediment-clogged distributary channels--Natal Channel and Radcliffe Pass--which extend from East Pass to the shallow waters east of the existing delta will be cleared over their combined length of 3,300 meters using hydraulic dredging. The resulting dredged material also will be placed in a pattern to mimic natural delta lobes that will trap riverine sediments, causing expansion of the delta and eventual wetland growth.

The Coastal Wetlands Planning, Protection, and Restoration Act (Breaux Act) provides funding for coastal wetlands protection, restoration, and enhancement in Louisiana. The state has more than 40 percent of all wetlands in the continental United States, yet is experiencing more than 80 percent of the country's wetland loss.

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TAKING THE PULSE OF THE OCEAN ALONG OUR COASTS

NOAA is leading a major effort to identify key coastal and marine ecosystem problems and solutions with a project called the "State of the Coast Report."

"There is an urgent need to nail down the causes and extent of the problems that plague our coastal areas so solutions can be found," said NOAA Administrator Dr. D. James Baker. "It's a big job, and the State of the Coast Report is an important tool to help us get it done. I can't think of a better time to launch the effort than now — during the Year of the Ocean — while the attention of the nation and the world is focused on ocean and coastal issues."

NOAA's State of the Coast Report project will also feed into a broader national ecosystem "report card" initiative spearheaded by the White House Office of Science and Technology Policy (OSTP). The OSTP project targets three major ecosystem areas: forest, agricultural, and coastal and marine.

"Ten or 20 years ago, fish kills and other problems from harmful algal blooms — such as red tides or *Pfiesteria* — were somewhat rare, and limited to a few areas of the country. Today, every single coastal state has either had such incidents, or is vulnerable," Baker said. "Significant levels of toxic contaminants are found throughout our coastal areas in sediments, shellfish and animals. In fact, some marine mammals contain among the highest known concentrations of organochlorine contaminants, e.g. PCBs, of any living forms. These are all symptoms of widespread, complex pressures and stresses on our ocean and Great Lakes coastal areas, and we must determine the extent and causes so further damage can be avoided, areas already harmed can be restored, and wise long-term management practices can be put in place," he said.

Dr. Baker said the success of the project depends on the involvement of all segments of what he called the "coastal stewardship community"— government, industry, scientists, researchers and the public. The State of the Coast Report is actually an interactive system, based primarily on a World Wide Web site, that permits a dialogue between segments of the various "communities" involved in coastal issues. According to NOAA officials, this national dialogue is crucial to developing a valid status report on the overall environmental and economic health of coastal areas and resources.

"Everyone talks about noble concepts such as coastal stewardship and the need for a national dialogue on key issues and challenges facing our coastal resource managers," said Dr. Nancy Foster, director of the National Ocean Service, which developed the State of the Coast Report system. "The State of the Coast Report puts meat on the bones of those concepts, and gives us a central place to actually engage in a national dialogue on the key issues and challenges."

NOAA PRESENTS STRATEGIC PLAN FOR FISHERIES RESEARCH

NOAA on February 17th unveiled its five-year Strategic Plan for Fisheries Research, which profiles the ongoing research conducted by the National Marine Fisheries Service, and how the agency expects to enhance its future research efforts. Fisheries research during this period will be critical to resource managers as they begin to rebuild depleted marine fisheries and continue to protect and enhance essential fish habitat, as mandated by the Magnuson-Stevens Act.

"It is important to recognize that this plan will serve as a guide in our future fisheries science endeavors, without limiting possible new directions of research that might arise," said Terry Garcia, Assistant Secretary for Oceans and Atmosphere.

The Magnuson-Stevens Act requires the strategic plan to cover four major areas of research: (1) research to support fishery conservation and management; (2) conservation engineering research; (3) research on the fisheries; and (4) information management research. The plan identifies five major fisheries research goals to carry out the purposes, policy, and provisions of the Magnuson-Stevens Act, and links them to the goals and strategies found in the ***NOAA Fisheries Strategic Plan,*** published in May 1997. The five research goals are as follows:

Goal 1: Provide scientifically sound information and data to support fishery conservation and management.

Goal 2: Through conservation engineering research, contribute to efforts to reduce bycatch and adverse effects on essential fish habitat, promote efficient harvest of target species, and to improve the data from fishery surveys.

Goal 3: Through ecological research on marine communities and ecosystems, and fishery research, provide scientific information and data to increase long-term economic and social benefits to the nation from living marine resources.

Goal 4: Improve the fishery information management system.

Goal 5: Improve the effectiveness of external partnerships with fishers, managers, scientists, conservationists, and other interested groups to build a balanced approach to addressing fisheries research. The fisheries service and its partners must develop ways to strengthen and expand cooperative relationships to meet common fisheries goals.

Additional improvements in scientific research and data collection will help in a number of ways. For instance, the National Marine Fisheries Service recently reported to Congress that 96 marine fish species reviewed are "overfished" or approaching an overfished condition, while another 183 marine fish species are not overfished. For 448 fish species, status relative to overfishing is currently unknown. Sound science will be the cornerstone of the decisions that will be made by the eight regional fisheries management councils as they draft rebuilding plans for the overfished species. The Magnuson-Stevens Act requires councils to use the "best available science" in making their decisions. The proposed rebuilding plans are due October 1998.

EL NINO-RELATED DROUGHT AND HEATWAVE OVER AUSTRALIA CAUSING CORAL BLEACHING AT THE GREAT BARRIER REEF, NOAA ANNOUNCES

El Nino-related drought and high ocean temperatures in the Pacific Ocean off Australia have resulted in coral reef bleaching around the Great Barrier Reef, raising concern among experts about the future of these fragile ecosystems known as the 'rainforests of the sea," NOAA announced.

Corals normally recover from bleaching, unless high ocean temperatures persist for too long a period or become even warmer. Coral reefs support a variety of marine life and provide resources of significant economic importance such as fishing and recreation. Coral bleaching, induced by high water temperatures, has raised concerns about these fragile ecosystems. Coral bleaching occurs as coral tissue expels zooxanthellae, a type of algae that resides in the structure of the coral and is essential to the coral's survival.

The bleaching was observed on many inshore reefs of central Great Barrier Reef, particularly reefs off Townsville, after temperatures in the water reached 29 - 30 degrees Celsius. Corals there usually thrive in temperatures no higher than 28 degrees C. These "hot spots," with temperatures well above last year's levels, have been identified by NOAA satellite data and confirmed by data provided by the Australian Institute of Marine Science.

"Sea surface temperatures have warmed considerably off the eastern coast of Australia during the past few weeks," said NOAA oceanographer Al Strong. "Our research indicates bleaching most likely began in the southernmost region of the Great Barrier Reef and appears to be moving toward the north. From our latest observations, these bleaching conditions appear to have reached New Caledonia (at 21 South Latitude,165 East Longitude). Sea surface temperatures from the 1982/83 and 1987 El Nino events were not quite this warm."

NOAA also reports continued warm waters from El Nino and coral reef bleaching off the Galapagos Islands off the coast of Ecuador. Sea surface temperatures there are about 30 degrees C.

This is nearly two degrees warmer than the waters that promoted initial bleaching there in mid-December.

Corals at the Galapagos thrive as long as temperatures remain at or below 27 degrees C — the normal maximum sea surface temperature at this site. An increase of one or two degrees above the usual maximum temperatures can be deadly to these animals. The temperature range for corals to thrive varies from site to site by only a few degrees.

During the 1997-98 El Nino, NOAA has confirmed coral bleaching in the Western Hemisphere at sites in the Florida Keys, Baja California, Pacific coast of Panama, the Yucatan coast, Caymans, and the Netherland Antilles. In the Eastern Hemisphere, reefs in the Red Sea and the Seychelles have experienced some bleaching during the past year.

"During this Year of the Ocean, it is important that we learn all we can about these extremely important ecosystems," Strong said. "Our interactive Internet site is proving to be a remarkable asset to both the researcher and the reef manager."

SHARKS PROTECTED IN FEDERAL RULING THAT SUPPORTS PRECAUTIONARY APPROACH

In a victory for natural resource conservation, Judge Steven D. Merryday of the U.S. District Court for the Middle District of Florida ruled on February 25th that strong management measures are justified to stabilize Atlantic shark populations, National Marine Fisheries Service announced. The ruling, which is in response to a suit brought against the agency for reducing shark quotas because of overfishing, confirms that the fisheries service's science is sound.

In his ruling, Judge Merryday ordered that shark quota reductions remain in place pending further analysis of economic impacts on fishermen, to be completed on or before May 1st. The judge, noting the delicate status of Atlantic sharks, stated that "the public interest requires maintenance" of the 1997 Atlantic shark quotas.

As in other cases challenging fisheries service management actions, Judge Merryday reiterated that strenuous disagreement and scientific uncertainty do not preclude the agency from taking a risk averse action to protect the fish.

"An agency charged with conserving and rebuilding morbidly fished stocks must wait for neither perfect science nor unanimous consent," said Judge Merryday. "Based on information available to him, the Secretary [of Commerce] proceeded cautiously in setting interim quotas."

"This is a victory for sharks and fisheries service management alike," said Terry Garcia, Assistant Secretary for Oceans and Atmosphere and Deputy NOAA Administrator. "We are pleased that the court upheld the scientific basis for our actions and that the quotas will remain in place."

Sharks are among the top, or apex, predators in the marine food chain, and play an important role in the ocean's ecosystem. Unlike other fish species, most sharks do not reach sexual maturity until 7-12 years of age and then only give birth to a small litter of young. These attributes make sharks more vulnerable to overfishing than most fish. Once overfished, sharks cannot rebuild their populations quickly.

SPRING'S FLOOD POTENTIAL BEARS EL NINO FINGERPRINTS; COMMERCE SECRETARY WILLIAM DALEY ANNOUNCES

California and the Southeast United States, which have felt the brunt of El Nino-related severe weather this year, are most at risk for spring flooding, according to NOAA experts who released their annual National Hydrologic Outlook on March 3rd.

"We are not likely to see severe flooding as we did last year due to last winter's heavy snowfall," said Commerce Secretary William M. Daley. "However, all communities must be alert to flood warnings, especially in the central valley region of California, along the West Coast, in the southeastern United States and in New England." An area of above average likelihood of flooding stretches like a triangle from east Texas, northeast through central Pennsylvania, and then south to include most of Florida. Precipitation has been plentiful through

this region as several storms, following the strong southern jet stream, tapped Gulf of Mexico moisture and deposited it over the Southeast and Mid-Atlantic.

Soil conditions are very wet over this area and stream flow conditions show minor flooding is occuring in a number of basins over far eastern Texas, not of Louisiana, southwestern Arkansas, the southern half of Georgia, north-central Florida and portions of the Carolina coastal plain. Locations on the Suwannee River in Florida saw some of the higher river levels in fifty years.

MCARTHUR TAKES JASON ARGONAUTS ON RESEARCH EXPEDITION

The *McArthur* has done just about everything from chasing down plumes of hot ocean water containing mysterious microbes from seafloor volcanic eruptions, to photographing blue whales migrating along the west coast of the United States. The week of March 23rd the ship, part of the NOAA fleet, took a contingent of its youngest scientists ever on a virtual field trip to California's Monterey Bay National Marine Sanctuary. These scientists are student "Argonauts" with this year's JASON Project, *Oceans of Earth and Beyond.*

The JASON Project expedition, led by Bob Ballard, discoverer of the sunken oceanliner Titanic, was broadcast to millions of students worldwide via satellite and the Internet. The expedition is part of the JASON Foundation for Education program to excite and engage students in science and technology, and provide professional development for their teachers through the use of advanced interactive telecommunications.

Former NOAA Chief Scientist and JASON host researcher Dr. Sylvia Earle joined the student Argonauts aboard the *McArthur* on March 23rd as they conducted survey operations to examine the distribution of zooplankton in Monterey Bay. They will then attempt to relate their findings to changes in the physical environment such as light, circulation or temperature and to the distribution of phytoplankton and potential seabird predators.

"On the *McArthur,* we are all excited about the opportunity to participate in this far-reaching educational program where we will work directly with JASON Argonauts. For years the *McArthur* has welcomed teachers on board through NOAA's Teacher at Sea program.

We've just begun a demonstration project called Classroom Sea where high school students can follow the *McArthur's* oceanographic research through an interactive Web site. With JASON, we can now take our outreach activities a step further to help students discover for themselves the excitement of hands-on research at sea, and watch as they share their discoveries with other students through live broadcasts. Hopefully, the experience will motivate some to go on to careers in science and technology," said Commanding Officer Lt. Cmdr. Bill Sites of the NOAA Corps, NOAA's commissioned officer corps of scientists and engineers.

The *McArthur* is a 58-meter multi-purpose vessel that conducts oceanographic research, marine mammal population studies, and environmental assessments along the West Coast of the United States and eastern Pacific Ocean. The ship's systems and equipment include a wide range of acoustic, chemical, physical, geological, atmospheric and biological data collection capabilities. The *McArthur* is managed by NOAA Corps officers and staffed by civilians of the Office of NOAA Corps Operations. Its home port is at NOAA's Pacific Marine Center in Seattle.

The NOAA Corps is the nation's seventh, and smallest, uniformed service. NOAA Corps officers all hold science or engineering degrees, many of them advanced. Not only are these officers highly skilled at operating and managing NOAA's ships and aircraft, their educational background enables them to support NOAA's scientific research.

NOAA Corps officers give essential support to NOAA's programs, from flying "hurricane hunter" research aircraft into nature's most turbulent storms, to surveying and charting the nation's waterways to ensure safe marine navigation.

U.S. MEETS QUOTA REQUIREMENTS FOR 1997 ON BLUEFIN TUNA; ANNOUNCES 1998 PROPOSED ALLOCATION

STRICT MONITORING, MORE EFFECTIVE MANAGEMENT TOOLS, COOPERATION PAY OFF

Landings of Atlantic bluefin tuna were within U.S. national quota limits for 1997, thanks to better management tools and effective catch monitoring by the National Marine Fisheries Service and increased cooperation by fishers, NOAA announced on April 1st.

Had the United States exceeded the internationally set quota, U.S. fishers would have faced quota reductions equal to the amount of Atlantic bluefin tuna they overharvested.

"The National Marine Fisheries Service has delivered on my personal promise to improve our management of the Atlantic bluefin tuna fishery, in large part to keep U.S. fishermen from being penalized for inadvertently exceeding internationally set quotas," said Rolland Schmitten, director of the fisheries service.

The fisheries service's highly migratory species management division closely monitored Atlantic bluefin tuna catch rates throughout the season, and was able to use newly adopted management tools to close down the fisheries before sub-quotas in individual categories and the overall U.S. quota were exceeded. Managers conducted comprehensive dockside and telephone surveys for recreationally caught fish, and better utilized the extensive dealer reporting system for commercially caught fish to stay within quotas.

"As a result of close monitoring, no user group exceeded its 1997 catch allocation," said highly migratory species management division chief Rebecca Lent. "Some user groups did not catch all of their portions, and the 1998 proposed quota allocations reflect increases from 1997 due to the addition of quota that was not landed."

Because the 1997 total quota was not reached, and the

International Commission for the Conservation of Atlantic Tunas (ICCAT) allows for a carryover in 1998 of unharvested quota, the United States can land 1,403 metric tons (mt) of Atlantic bluefin tuna this year without exceeding its quota. The 1998 proposed allocation among the user groups is: General - 657 mt; Harpoon - 53 mt; Incidental - 114 mt; Purse Seine - 250 mt; Angling - 277 mt; Reserve - 52 mt.

The amount of bluefin tuna the United States is allowed to catch is determined by ICCAT, the international treaty organization responsible for conservation recommendations for Atlantic tunas, swordfish, and billfish.

Once the United States total quota is determined through ICCAT, the national quota is then allocated among the various U.S. user groups. The U.S. quota of Atlantic bluefin for 1997 was 1,344 metric tons (mt), of which 1, 046 mt were divided among four commercial sector fisheries, and 265 mt were allocated to the recreational sector. An additional 33 mt were allocated to an in-season reserve.

CONGRESSIONAL MEMBERS ADDRESS ANNUAL COASTAL MANAGERS MEETING

Sen. Judd Gregg (R-NH) and Rep. Sam Farr (D-CA) addressed a national gathering of 230 coastal resource managers, researchers and educators at the annual late winter Program Manager's Meeting at the Sheraton City Centre in Washington, D.C.. Sen. Gregg, a strong supporter of Coastal Zone Management and the National Estuarine Research Reserve System, addressed the March 11th luncheon. He emphasized the need for better integration of science and technology with coastal management. Sen. Gregg is the chairman of the Senate Appropriations Commerce, Justice, State Subcommittee with jurisdiction over NOAA programs.

Rep. Farr delivered the keynote address on March 10th . He announced his intention to amend the Oceans Act (HR 2547) that he introduced on September 25th. The bill creates a 15 member commission to examine ocean and coastal activities. Rep. Farr said : "I want to assure you that I have heard the voices among you who have called for stronger language regarding representation of state and local concerns in the bill, and, I intend to strengthen the language to ensure that these important concerns are heard and considered by the Commission." The California Democra t predicted that the bill (which passed the Senate on November 13th (S 1213) would be enacted into law "before people of America are off the beaches this summer." Rep. Farr is a member of theHouse Resources Fisheries Conservation, Wildlife and Oceans Subcommittee.

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HEARINGS AND MARKUPS

NOAA FISHERIES PARTICIPATES IN HEARING ON SAWTOOTH NATIONAL RECREATION AREA

The Senate Committee on Energy and Natural Resources Subcommittee on Forests and Public Lands Management, (Chairman Sen. Larry Craig, R-ID) held a February 16th hearing on the Sawtooth National Recreation Area (SNRA) inTwin Falls, Idaho. In addition to Sen. Craig, Idaho Republican Reps. Helen Chenoweth and Michael Crapo also were in attendance. The purpose of the hearing was to compare the current management of the SNRA with the intent of the law that established the area; and detail how the agencies are working with the communities to develop consensus-based decisions. Five panels of witnesses testified; and at the end of the hearing, 23 constituents were able to take two minutes to state their concerns for the public record.

Administration testimony was delivered by Jack Blackwell, Regional Forester for the Intermountain Region of the U.S.Forest Service, on seven issues — scenic easements, recreation residence user fees, the recreation fee demonstration project, mining claims, the new policy on roads, floatboating, and grazing allotments. Will Stelle, Regional Administrator of NMFS' (National Marine Fisheries Service) Northwest Region, and Ted Meyers, Director of NMFS' office in Boise, Idaho, were present to answer questions. The Administration addressed questions from the Congressional Members pertaining to 1) the evidence that floatboating harms salmon, (floatboating is similar to rafting down a river) 2) sports enthusiasts complaints when restrictions are implemented, 3) the reduction in floatboating and its effect on tourism in the Frank Church Wilderness, 4) the potential litigation that could result from closing a navigable stream/river to commercial traffic, 5) timelines for getting the steelhead trout ESA consultation done before the cattle grazing season starts, and 6) who has the ultimate say if the U.S. Forest Service disagrees with the opinions of NMFS.

NOAA FISHERIES TESTIFIES AT ENDANGERED SPECIES ACT HEARING

On March 5th, the House Resources Committee (Chairman Don Young, R-AK) held a hearing on the implementation and enforcement of the Endangered Species Act (ESA). The purpose of the hearing was to determine if the Administration was implementing the Act fairly among regions and between states. Members also used the hearing as an opportunity to mention what they perceive to be lost economic opportunities and other problems associated with providing for an ESA species in their districts. Examples mentioned included Pacific salmon, bull trout, grizzly bear, desert tortoise, the flower-loving fly, and spotted owl.

The hearing was chaired by Richard Pombo (R-CA). Jamie Clark, Director of the Fish and Wildlife Service, testified first, accompanied by five regional staff of that agency. Several hours of very critical questioning followed. Members raised questions with the regional staffing of the FWS and specific cases of ESA species in Members' districts.

The Assistant Administrator for Fisheries Rolland Schmitten testified for the National Marine Fisheries Service (NMFS), accompanied by William Stelle, Regional Administrator (RA) for NMFS Northwest Region, William Hogarth, RA for NMFS Southwest Region, Andrew Kemmerer, RA for NMFS Southeast Region, and Chris Mantzaris, Assistant RA for Protected Resources in NMFS Northeast Region.

Rep. Pombo asked whether NMFS was consistent in its approval of the Oregon and Maine state conservation plans that avoided salmon listings. Mr. Schmitten and the other NMFS witnesses detailed the identical standards fulfilled by both plans, the different threats to the species in each case. Ranking Committee Democrat Rep. George Miller (D-CA) asked about NMFS work with California on the plans for a final listing for groups of west coast steelhead trout.

NMFS explained that such information would be available on March 13th (the date of the final determination for those groups of steelhead) and that NMFS was applying the same standards to the California plan. Rep. Miller also asked about the acceptability of the new Pacific Lumber Company (PALCO) Habitat Conservation Plan and its associated timbering standards; and was adamant that the agency had better be spending the public's money well and do the job to recover the fisheries. NMFS detailed the contents of the plan and how it fulfills recovery of salmon species.

NMFS pointed out that even though timber standards are different from the Northwest Forest Plan, they still work in recovering the species in the PALCO case. NMFS also promised to follow-up to this question in writing. Rep Wally Herger (R-CA) asked about the recently proposed listing for the fall run of the Central Valley chinook salmon, and why it was listed given the large amounts of fish in the fishery. NMFS explained that the population is made up of mostly hatchery fish, and explained that habitat degradation also was a reason for the listing.

Rep. Pombo also advanced a theory that there are more staff in the Northwest Region of NMFS, and that those staff have caused more listings in that area. NMFS explained that this was a false conclusion. NMFS directs resources where problems exist. For instance, the high regional staffing levels in the Northwest evidence that the area has problems such as habitat and hydropower impacts; and the smaller number of resources in Alaska show that it is a more healthy region. Also, NMFS usually undertakes status reviews because of the public's petitions for listing. The Members also asked more detailed questions on Pacific salmon.

THE FULL TEXT OF NOAA CONGRESSIONAL TESTIMONY UPLOADED ONTO NOAA LEGISLATIVE AFFAIRS HOMEPAGE USUALLY AT SAME TIME OF THE SCHEDULED STARTING TIME OF THE HEARING;
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DR. BAKER TESTIFIES ON PROPOSED $ 2.1 BILLION FISCAL YEAR 1999 NOAA BUDGET BEFORE HOUSE SCIENCE SUBCOMMITTEE WITH EMPHASIS ON WEATHER AND ENVIRONMENTAL SATELLITE ISSUES

The Under Secretary for Oceans and Atmosphere Dr. D. James Baker on March 4th testified before the House Science Energy and Environment Subcommittee (Chairman Ken Calvert, R- CA) on March 4th. Dr. Baker appeared on a panel with Joel Willemsson - director, Accounting and Information Management Division, General Accounting Office.

Chairman Calvert, and Ranking Democrat Member Tim Roemer (D-IN) focused their questions on the controversy last year surrounding reports of a shortfall in the Fiscal Year 1998 National Weather Service budget, as well as the possibility that the Weather Service's Advanced Weather Interactive Processing System (AWIPS) could exceed its Congressionally-mandated $550 million budget cap. Dr. Baker noted that NOAA commissioned an independent review of the AWIPS program, and is currently assessing the results of that review. He said NOAA would be able to provide Congress with its assessment shortly.

Several Members appeared concerned with the total level of the NOAA Research and Development request. Rep. Roemer noted that NOAA appeared not to have requested very much additional research funds, compared to other federal agencies for Fiscal Year 1999. Dr. Baker explained this as the natural give-and-take of the budget process, but agreed that the R & D totals are not a substantial increase. Rep. Mark Foley (R-FL) expressed concern that part of NOAA research fund are tied to the Fund for America, and, therefore, dependent on the settlement of the tobacco companies' lawsuit.

In his written statement, Dr. Baker said the $2.1 billion budget request "demonstrates the Agency's important contributions by providing the resources to maintain essential services, ensure continuing progress in critical investment areas, and address statutory obligations." The NOAA Administrator noted that "NOAA demonstrated its scientific preeminence by the successful advance forecast of the 1997/1998 El Nino and the provision of global climate change information to policymakers to the U.N. climate conference in Kyoto, Japan."

Dr. Baker said the request represents NOAA's participation in the Natural Disaster Reduction Initiative, the President's Clean Water Initiative, the South Florida Ecosystem Restoration Initiative, and the National Oceanographic Partnership Program.

For the National Weather Service, for example, the request provides $489 million for operations and research, a net increase of $34.8 million from the 1998 enacted levels. "This includes $28.3 million to implement the budgets and associated program activities" recommended by John J. Kelly, the new director of the National Weather Service. "Within the total amount for NWS operations, an increase of $4.2 million is requested to initiate the national implementation of Advanced Hydrologic Prediction System (AHPS), a real-time modeling and data analysis system which will significantly improve flood forecasting and water management in U.S."

Dr. Baker, in his concluding remarks, said: "Every day, in some way, every person in the U.S. is affected by the mission of NOAA. Our budget enables us to continue this service."

DR. BAKER APPEARS BEFORE SENATE APPROPRIATIONS SUBCOMMITTEE ON FY 1999 $2.1 BILLION BUDGET REQUEST

Dr. D. James Baker, NOAA Administrator and Under Secretary for Oceans and Atmosphere, testified on March 5th on the proposed Fiscal Year 1999 NOAA budget request before the Senate Commerce, Justice, State, and Judiciary Appropriations Subcommittee (Chairman Judd Gregg, R-NH). In his prepared testimony, Dr. Baker said the $2.1 billion budget request "represents an appropriate balance among the environmental assessment, prediction and stewardship needs of the Nation." In referring to 1998 as the Year of the Ocean, Dr. Baker said: "a growing body of evidence alarmingly indicates that our oceans and Great Lakes are threatened. Many of our commercial and recreational fisheries are overfished. In addition, polluted runoff is being connected to deadly and dangerous algal blooms such as *Pfesteria*, and red tides producing paralytic shellfish poisoning and other poisons, all of which threaten our coastal communities."

Dr. Baker highlighted the "$33.6 million (request) to continue the Administration's commitment to restore the wealth of American's fisheries, protect marine species faced with extinction, and conserve habitat important to living marine resources through the implementation of NOAA's management and research obligations….Meeting these commitments will require additional resources to manage effectively the Nation's billion dollar commercial fisheries and marine recreational fisheries enjoyed by millions around the country." The NOAA Administrator also pointed to the request for $22 million for the Clean Water Initiative. "These funds provide the necessary resources to meet both the scientific and management needs to address polluted run-off, the major source of pollution in coastal waters today."

Issues raised by Senators included the lack of funding for a new facility at Goddard, disestablishment of the NOAA Corps, cost overruns in the Advanced Weather Interactive Processing System (AWIPS), and the management of the New England lobster fishery.

WEEKLY UPDATES ON NOAA-RELATED CONGRESSIONAL ACTIVITIES NOW AVAILABLE FOR THE FIRST TIME ON NOAA LEGISLATIVE AFFAIRS WEBSITE: *HTTP://WWW.LEGISLATIVE. NOAA.GOV*

HOUSE MEMBERS RESOUNDINGLY VOICE SUPPORT FOR NOAA BUDGET REQUEST BUT EXPRESS CONCERNS OVER NOAA CORPS HIRING FREEZE AND CUTS IN OCEANIC PROGRAMS

Ten House Members spoke out forcefully—all favorably—on the Proposed Fiscal Year 1999 NOAA Budget at a March 12th House Commerce, Justice, State, and Judiciary Appropriations Subcommittee (Chairman Harold Rogers, R-KY) hearing on funding programs under its jurisdiction. If there was any criticism it was only over budget priorities and the proposed dissestablishment of the NOAA Corps. At times, Chairman Rogers seems to embrace some of that enthusiasm by displaying on the lectern the figurine known as YOTO, the official symbol of the International Year of the Ocean. It was given to him by Rep. Sam Farr (D-CA).

Here are some brief excerpts from Member statements and any follow-up comments by Chairman Rogers. Also present were Ranking Democrat Alan Mollohan (WV) and Rep. Tom Latham (R-IA).

Rep. James Saxton (R-NJ), Chairman of the Fisheries Conservation, Wildlife and Oceans Subcommittee: Found "totally unacceptable" proposed cuts in NOAA oceanic programs. "I am particularly concerned that NOAA proposes to cut funds for the acquisition of the data necessary to carry out its wet side missions. This is a serious mistake and I urge you to restore these cuts." Chairman Rogers said "we have a good working relationship" and promised to work with him on the appropriations request.

Rep. Frank Pallone (D-NJ), Ranking Democrat on the Fisheries Conservation, Wildlife and Oceans Subcommittee. Asked for $9 million increase in Coastal Zone Management Program funds because of the inclusion of Minnesota and Indiana. Asked for funding for Protection of Coastal Waters, the National Estuarine Research Reserves Systems, Sea Grant, the National Undersea Research Program, and the Damage Assessment and Restoration Program. Specifically requested $2.25 million for National Marine Fisheries Service Sandy Hook Laboratory.

· Rep. Sam Farr (D-CA), Member of Fisheries Conservation Subcommittee, who said he was also speaking for Del. Eni Faleomavaega (D-GU). Advocated $8.14 million to relocate the National Marine Fisheries Service Tiburon Laboratory to Santa Cruz. Endorsed Inspector General recommendation to consolidate functions of LaJolla and Santa Rosa NMFS laboratories to Santa Cruz. Chairman Rogers called Rep. Farr a "dynamo."

· Rep. Jack Metcalfe (R-WA) urged a lifting of the NOAA Corps hiring freeze. The freeze has resulted the NOAA Corps being reduced to its present size of 259, he said. "I am concerned that this reduction means that NOAA may not have enough personnel for effective and safe operation....a reduction below 264 officers is…inadvisable…it is time to call off the hiring freeze…we must allow the NOAA Corps to function properly, and allow NOAA to fulfill its statutory missions!"

· Rep. Wayne Gilchrest (R-MD), a member of the Fisheries Conservation Subcommittee, asked for level funding for the NOAA Chesapeake Bay Office, the authorized level for Sea Grant, and double the Administration request of $619,000 for the Susquehanna River Flood Forecast and Warning System. In regard to the NOAA Corps—"It is time for the Congress to take control of this situation and direct the Administration to relieve the hiring freeze and let the NOAA Corps begin recruiting to a maximum number of 283 officers."

· Rep. Bart Stupak (D-MI). Asked for full restored funding of the $5.9 million cut for the National Sea Grant College Program. "According to Great Lakes Sea Grant directors, this reduction in funding will significantly cut zebra mussel research. I cannot emphasize enough the devastating impact this would have not on not only the Great Lakes, but on other areas in the nation as well."

· Rep. Constance Morella (R-MD). Supported the NOAA FY '99 request. Said NOAA Corps hiring freeze goes beyond the recommendations of the National Performance Review. "I believe that further downsizing or elimination of the NOAA Corps will only have a negative impact." Congress should direct the Administration to recruit the NOAA Corps to a maximum strength of 283 officers.

· Rep. Nancy Pelosi (D-CA). Asked for increased funding for the National Marine Sanctuary Program. Also wanted increases in the protected species budget for the National Marine Fisheries Service to address California salmon problems. Wanted to work with Subcommittee to develop "some report language on the salmon problem."

· Rep. George Gekas (R-PA). Expressed support for $1.4 million funding for the Susquehanna River Basin Flood Warning System. Ten percent of all national flood damage historically occurs in this basin, according to NOAA, he said.

· Rep. Michael Castle (R-DE). Supported full funding for $22 million Administration request for NOAA Coastal Water Initiative. "Polluted runoff into our nation's bays, lakes, and rivers is considered the number one water pollution problem nationwide."

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DEPUTY SECRETARY MALLETT TESTIFIES BEFORE FISHERIES CONSERVATION SUBCOMMITTEE PROPOSED FISCAL YEAR NOAA 1999 BUDGET REQUEST

Rep. James Saxton (R-NJ) the Chairman of the House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee criticized Administration budget priorities at a March 18th hearing on the proposed FY 1999 NOAA budget request. Deputy Secretary of Commerce Robert L. Mallett testified for the Department.

The Deputy Secretary, in defending the budget request, noted that "ocean research continues to be a high priority."

"NOAA takes seriously its responsibilities for fisheries management, and while it is sometimes contentious and difficult to balance the varied interests involved, it is one of the areas in which the Clinton Administration has been particularly engaged cooperatively with the private sector."

The Deputy Secretary stated that "this budget request provides the resources needed for NOAA to achieve its mission and to perform an essential role in a number of interagency and Presidential initiatives, including the President's Clean Water Initiative, the Natural Disaster Reduction Initiative, the South Florida Ecosystem Restoration Initiative, and the National Oceanographic Partnership Program.

In his statement, Deputy Secretary Mallett said: "A total of $22 million (is requested) to support theCleanWater Initiative.These funds provide the necessary resources to meet both the scientific and management needs to address polluted runoff, the major source of pollution in coastal waters today." He added: "a total increase of $5.1 million is requested for the Administration's South Florida Ecosystem Restoration Initiative. The South Florida Initiative is an integrated effort among federal, tribal, state and non-governmental partners to halt the degradation and restore the function of the South Florida ecosystem. NOAA supports the only portion of the South Florida Initiative exclusively devoted to restoring and protecting the coastal and marine portions of the South Florida ecosystem."

Chairman Saxton, in his opening written statement, said senior Administration officials had praised as "important and effective" NOAA's coastal, oceans and fisheries programs at the recent Commerce Department launch ceremony of the International Year of the Ocean . "However, the next week when the Administration's FY '99 budget arrived in my office, I was shocked at the disconnect between the rhetoric I had heard about oceans programs one week, and the reality of the budget that followed the next." The New Jersey Republican said oceanic programs were being cut by $14.6 million with the proposal for $20 million in new fishery and navigation fees while atmospheric programs were being increased by $189 million with no new atmospheric fees.

In addition, the new Ranking Subcommittee Member Rep. Frank Pallone (D-NJ) expressed concern about the new fisheries fees that NOAA have proposed for the Fiscal Year 1999 budget. In addition to citing his opposition to the proposal, Rep. Pallone requested that NOAA submit a request for authorization to the Subcommittee to get authority for these new fees rather than trying to obtain authority from appropriation language.

Rep. Michael Crapo (R-ID) asked if it was possible for the National Marine Fisheries Service (NMFS) work with Idaho to develop salmon management plans that would avoid listings under the Endangered Species Act. The Idaho Republican also questioned whether the U.S. Fish and Wildlife Service, rather than NMFS should have jurisdiction over anadromous fish species.

Rep. Sam Farr (D-CA) echoed the concerns of the Chairman and asked that despite the rhetoric of the Year of the Ocean, the budget request contained insufficient funds for ocean research and was "taking the 'O' out of NOAA." He also asked that NOAA and the Navy work with Congress more closely on plans for the National Conference on the Ocean now planned for his district in early June in Monterey, California.

CHAIRMAN AND RANKING DEMOCRAT ON HOUSE APPROPRIATIONS SUBCOMMITTEE HEARING QUESTION NOAA ADMINISTRATOR ON PROPOSED FISHERIES FEES

Rep. Harold Rogers (R-KY) Chairman of the House Commerce, Justice, State, and Judiciary Appropriations Subcommittee and Ranking Democrat Alan Mollohan (D-WV) sharply questioned the Under Secretary for Oceans and Atmosphere Dr. D. James Baker at a March 19th hearing on the proposed Fiscal Year 1999 NOAA budget request.

Of concern to Chairman Rogers were proposed fisheries fees which he said were previously rejected by the Subcommittee. He characterized the fees as part of a "sham budget." Dr. Baker said the fees proposal originated with the Office of Management and Budget. The Kentucky Republican also criticized the proposed reduction in nautical charting funding because it would impair efforts to reduce the charting backlog. Dr. Baker said he agreed that the backlog was a problem and noted that Administration was proposing more spending in FY '99 than in FY '98 to tackle the issue.

In his prepared written testimony, Dr. Baker detailed the justification for the proposed $2.1 billion Fiscal Year 1999 budget request. "In a time of careful spending, the President's budget reflect NOAA's increasing importance to our nation's economic health. It represents an appropriate balance among U.S. environmental assessment, prediction and stewardship needs…and it meets Secretary Daley's test, which holds that every program must be consistent with President Clinton's priorities, responsive to Congressional direction, and the most efficient and cost effective possible." As an example of a NOAA success, Dr. Baker to the accurate El Nino forecasts which led to mitigation measures to reduce storm related damages. "Providing this type of information to government and industry users, as well as the public more than six months in advance is precedent setting."

HOUSE RESOURCES SUBCOMMITTEE HOLDS HEARING ON THREE DIFFERING BILLS TO STUDY AND RECOMMEND CHANGES TO FEDERAL OCEANS PROGRAMS

The House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman Jim Saxton, R-NJ) held a March 19th hearing on three bills that would establish a study commission on federal oceans programs. All three bills would essentially set up a Presidential Commission on Ocean Policy, modeled after the Johnson Administration Stratton Commission which recommended the creation NOAA. The Commission would be composed of representatives from the states, local government, industry, academic and public interest organizations. The Under Secretary for Oceans and Atmosphere Dr. D. James Baker testified for NOAA.

Chairman Saxton said that the legislative and executive branches needed to examine the current ocean management structure and asked Dr. Baker if the Commission could help increase support for NOAA's oceanic programs. The NOAA Administrator emphasized the Department's commitment to ocean programs and that the Commission must include private sector and state government members. In response to a question from Rep. Sam Farr (D-CA), Dr. Baker said the Administration supported the need for a federal interagency National Ocean Council, contained in the Senate bill. "We need better coordination between the agencies…a National Ocean Council, similar to the National Space Council, could be tremendously effective," he said. Rep. Saxton noted that his bill does not include a Council "because the Commission needs to take an unencumbered look at ocean policy, without the usual cast of (federal) characters."

A bill introduced on March 12th by Chairman Saxton (HR 3445) differs in several significant aspects from the Oceans Act bill (S 1213) which passed the Senate by Unanimous Consent on November 13th. Principally, the Saxton bill does not include Senate language creating a federal interagency Oceans Council, to be led by Commerce. The Saxton bill also requires an examination of the relationship between the fisheries development and fisheries conservation responsibilities of the National Marine Fisheries Service. It also authorizes only two/thirds of the $6 million in funding provided in the Senate bill and provides only per diem expenses for Commission members, instead of executive schedule pay as provided in the Senate bill. Additionally, unlike the Senate bill, the Commission members would chose their own chairman, instead of the President.

The third bill (HR 2547) to be addressed at the hearing was introduced on September 25th by Rep. Sam Farr (D-CA) and co-sponsored by Chairman Saxton It differs from the other two bills by not sunsetting the Commission, which could stay in business at least through 2009, if not longer. Like the Saxton bill there is no provision for a federal interagency Oceans Council, but NOAA would be directed to assist the President in a long-range biannual reviews of national ocean policy.

<<***See article on page 4 for full account of subcommittee April 23rd markup***>>

SCIENCE SUBCOMMITTEE HEARS FROM OUTSIDE WITNESSES ON NOAA BUDGET

The March 25th hearing of the House Science Energy and Environment Subcommittee (Chairman Ken Calvert, R-CA) was held to review the Fiscal Year 1999 budget requests for agencies under the Subcommittee's jurisdiction, including NOAA's atmospheric programs. At the hearing, former nuclear scientist and university professor, Rep. Vern Ehlers (R-MI) closely and methodically questioned Dr. Joel Myers, President of Accuweather, regarding his earlier assertions that the National Weather Service (NWS) was unfairly competing with the private sector meteorolgical services. Of particular interest to the Michigan Republican was whether private forecasters were paying their fair share of the cost for NOAA's goestationary and polar orbiting satellites. Under oath, Dr. Myers not only asserted that he would be "out of business" without the NOAA satellites, but stated that it would cost the private sector "hundreds of millions of dollars," if they had to duplicate the NOAA satellite coverage.

The Ph.D. scientist also challenged Dr. Myers assertion that the National Weather Service should get out of the business of providing routine general forecasts and only focus on severe weather warnings. Rep. Ehlers asked Dr. Myers if he was suggesting that NWS forecasters should behave like "firefighters" waiting "to go into action" to issue severe weather warnings while presumably sitting around when routine everyday weather occurred. He called the idea a terribly wasteful use of government personnel. The Michigan Republican then asked Dr. Myers whether private meteorologists were recommending that they assume the responsibility for severe weather warnings. Dr. Myers answered no and then the head of Accuweather resumed his criticism of the NWS by targetting its decision to close down the Kansas City Severe Storm Center and scatter its functions nationally. He speculated that this decision to close the office might result "in the loss of life." However, he did not present any evidence to back up his assertion.

Ranking Subcommittee Democrat Tim Roemer (D-IN) also took issue with Dr. Myers and referred back to his admission that private forecasters benefit from government weather programs including "NEXRAD, which is the best in the world."

Chairman Calvert questioning of Dr. Myers was much gentler, but he still wondered out loud if the private sector had the capacity to issue the specialized agriculture and fire warning forecasts no longer issued by NWS. Dr. Myers assured Chairman Calvert that if the specialized services were not being provided "let me know and we (Accuweather) will provide it tomorrow."

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NOAA FISHERIES DEPUTY ASSISTANT ADMINISTRATOR TESTIFIES AT AMERICAN FISHERIES ACT HEARING

Dr. David Evans, the Deputy Assistant Administrator for NOAA Fisheries, testified at the March 26th hearing on the American Fisheries Act (S 1221) and S 1192 (North Atlantic Fisheries Resource Conservation Act) before the Senate Commerce Oceans and Fisheries Subcommittee (Chairman Olympia Snowe, R-ME). The other administration witness was U.S. Coast Guard (USCG) Rear Admiral Robert North. Dr. Evans testified that overcapitalization of fishing fleets is a problem worldwide and needs to be addressed. However, while the North Pacific pollock fishery also suffers from overcapitalization, particularly in the factory trawler fleet, this has not compromised the National Marine Fisheries Service (NMFS) or the North Pacific Fishery Management Council's ability to maintain healthy fisheries throughout the North Pacific in federal waters. Dr. Evans went on to state that while S 1221 offered one alternative for addressing overcapacity, the Department of Commerce believes that the Councils are the most appropriate mechanism for making such evaluations. The Department doubts that a single set of physical vessel standards is equally desirable or necessary for all of our fisheries.

All Senate panel members, including Sen. Ted Stevens (R-AK) supported the primary objectives of the bill, with the sole exception of Sen. Slade Gorton (R-WA).

Sen. Stevens said: "Congress extended U.S. jurisdiction over fisheries to 200 miles (360 kilometers) when the Fishery Conservation Act was originally enacted in 1976…in conjunction with its conservation goals, the Act gave U.S.-flag vessels priority over foreign-flag fishing vessels in the harvest of U.S. fishery resources. Without a meaningful U.S. ownership standard there is no way to provide this priority," the Alaska Republican said.

"We tried to complete that process through the Anti-Reflagging Act in 1987, which Sen. Frank Murkowski (R-AK) introduced," Senator Stevens said.

"Unfortunately, the Coast Guard and the D.C. Court of Appeals misinterpreted the Act's key provisions, making the Act meaningless."

Sen. Stevens submitted written questions to the Coast Guard asking why legal opinions prepared by the Coast Guard's Maritime Law Division regarding the Anti-Reflagging Act were not followed at the time. The Senator asked whether the legal memoranda had been provided to the D.C. Court of Appeals in the unsuccessful challenge to the Coast Guard's interpretation of the 1987 Anti-Reflagging Act.

"If they'd listened to their own experts, we wouldn't be here right now," Sen. Stevens said. "For some reason, the Coast Guard Documentation Office started issuing letter rulings on both ownership and rebuild exemptions to specific vessels, prior to the legal opinions provided by their own legal experts, and prior to the issuance of a final rule by the Coast Guard.

"We normally have a very good relationship with the Coast Guard," Sen. Stevens noted, "but on this one, the documents we've obtained do not look good."

The primary argument for the S 1221 seems to be further "Americanize" U.S. fisheries and to phase out the use of large fishing vessels. The Magnuson-Stevens Fisheries Conservation and Management Act started the process to Americanize the fisheries, and the 1987 Anti-Reflagging Act furthered this objective by raising the foreign ownership and/or interest in U.S. fisheries to 51 percent. S 1221 would increase this requirement to 75 percent.

As a result of a Coast Guard interpretation of the Anti-Reflagging act, some foreign rebuilt factory trawlers received U.S. fisheries endorsement and are currently participating in the North Pacific Pollock fishery. Committee members asserted that this was a misinterpretation of Congressional intent and indicated that S 1221 was intended to correct this situation.

Sen. John Kerry (D-MA) also seemed surprised that neither agency (NMFS or USCG) came right out and stated whether they were for or against the bill.

NOAA FISHERIES TESTIFIES AT IDAHO FIELD HEARING ON THE INTERIOR COLUMBIA BASIN ECOSYSTEM MANAGEMENT PROJECT

On April 14th, the House Resources Subcommittee on Forests and Forest Health (Chairman Helen Chenoweth, R-ID) held a hearing in Nampa, ID on the Interior Columbia Basin Ecosystem Management Project. The Project is a multi-agency, broad-scale federal land management planning process that is intended to bring all parties together to jointly approach the problems of the Interior Columbia River Basin. The purpose of the hearing was to provide the Subcommittee with additional information on the Project, including the role of the regulatory agencies (both currently and historically), budget information, and a sense of the impacts of the project on local communities. Rep. Chenoweth chaired the hearing, and the Administration witnesses were from the U.S. Fish and Wildlife Service, Environmental Protection Agency, and National Marine Fisheries Service (NMFS) - the three regulatory agencies on the Project. Other witnesses included representatives of resource industries, and local governments.

Elizabeth Gaar, Assistant Regional Administrator for Habitat Conservation in the Northwest NMFS Region, testified, stating that the primary NMFS role in the Project is to ensure that conservation needs of salmon and steelhead listed under the Endangered Species Act (ESA) are realized as actions are taken across the broad expanse of the Project area. Experience with ESA salmon issues in the northwest has shown it is more efficient and cost effective to involve all interested parties early and often during large scale planning exercises, so NMFS participated in the development of the Draft Environmental Impact Statement (DEIS) and additional efforts. The public comment period on the DEIS is scheduled to close May 6th.

HOUSE RESOURCES SUBCOMMITTEE HOLDS HEARING ON WEST COAST GROUNDFISH

The House Resources Fisheries Conservation, Wildlife and Oceans Subcommittee (Chairman Jim Saxton, R-NJ) held an April 30th hearing on the management of the West Coast groundfish by the Pacific Fishery Management Council. In outlining the purpose of hearing, Chairman Saxton said that the Subcommittee was interested "in the science used by the Pacific Council to make management decisions. In recent years, questions have arisen concerning the adequacy of data used by the National Marine Fisheries Service (NMFS) to establish quota levels. The addition, the stock assessment collection program has been criticized."

Subcommittee Chairman Saxton (R-NJ) chaired the hearing. Also in attendance were Rep. Wayne Gilchrest (R-MD), and Rep. Sam Farr (D-CA). Witnesses were Sen. Ron Wyden (D-OR); Rolland Schmitten, Assistant Administrator for Fisheries, accompanied by William L. Robinson, Assistant Regional Administrator for Sustainable Fisheries, NMFS Northwest Region and Dr. Richard Methot, Director of the Fisheries Resource Analysis and Monitoring Division of NMFS' Northwest Fisheries Science Center; Philip Anderson, Member of the Pacific Fishery Management Council; Dr. David Sampson, Oregon State University; Gerald Gunnari, Coos Bay Trawlers Association; Karen Garrison, Natural Resources Defense Council; and Rod Moore, Executive Director, West Coast Seafood Processors Association.

Mr. Schmitten, Assistant Administrator for Fisheries, testified that NMFS has a great commitment to address the decline of west coast groundfish, and that the agency recognizes that substantial improvements are needed. He stated that three NMFS science centers conduct research that provides the scientific basis for groundfish harvest levels. Mr. Schmitten pointed to a list of NMFS actions on west coast groundfish, which included initiation of the groundfish program at $1.5 million in 1995, providing $400,000 in 1998 for charters to continue the deep-water slope survey, providing permanent funding of $750,000 in 1998 to add to the groundfish management and research, and support of several new programs such as "Fish for Research" and Sen. Ron Wyden (D-OR)'s proposal for retention and sale of marketable overages to help fund examination of the problem.

Sen. Wyden testified that NMFS has worked positively and constructively with the State of Oregon on the groundfish crisis. He mentioned that Assistant Secretary for Oceans and Atmosphere Terry Garcia had met with Oregon fishing families devastated by the reductions, and wanted to make changes for them.

Subcommittee Chairman Saxton posed technical questions about stock assessment methodology , how often a trawl survey is done, how NMFS will manage the chartering of a vessel to replace the NOAA Ship MILLER-FREEMAN which is in dry dock, and if the results from those charters will be acceptable.

Rep. Sam Farr (D-CA) was interested in uncertainties associated with groundfish assessments. He urged annual surveys because of current demands on the resource, the high efficiency of today's fishing technology used today. and the uncertainties of the ocean. The California Democrat encouraged NMFS to include its assessment needs in its budget request.

NOAA FISHERIES TESTIFIES BEFORE HOUSE SUBCOMMITTEE ON DUNGENESS CRAB BILL

On May 7th, the House Resources Subcommittee on Fisheries Conservation, Wildlife, and Oceans (Chairman Rep. James Saxton, R-NJ) held a hearing on Rep. George Miller's (D-CA) Dungeness Crab Conservation and Management Act , HR 3498. Rep. Miller is Ranking Resources Committee Democrat. There is a companion bill, S 1726, introduced by Washington State Sens. Patty Murray (D) and Slade Gorton (R). These bills would legislatively grant the three Pacific Coast states the authority to manage Dungeness crab within the 360-kilometer Exclusive Economic Zone of the United States.

Dr. David Evans, Deputy Assistant Administrator for Fisheries, testified that NMFS will support passage of HR 3498 as a unique solution to an unusual set of circumstances, and noted that at any time, for any reason, the Pacific Fishery Management Council (Council) or Secretary of Commerce could step in and do a Federal Fishery Management Plan (FMP). Dr. Evans also noted that this legislative solution would not be possible for any other fisheries. NMFS believes that the unique circumstances of 1) tribal treaty obligations, 2) the long-term, cooperative state-level management of the species that includes effort limitation programs, 3) the historic lack of a federal FMP, 4) the small number of states involved, 5) the clear, latitudinal borderlines between the states, and 6) the specific request of the Council for extension of state authority, merit consideration of extending special state authority over Dungeness crab as described by HR 3498.

Chairman Saxton observed that both the striped bass and Dungeness crab fisheries are managed by the states within 4.8 kilometers of the coastline, and are managed well. He wondered if there was a message there about the management competency of the states. Dr. Evans replied that often fisheries of the EEZ have more complicated management and jurisdictional challenges than those in close-in state waters. The witness from the Pacific Fishery Management Council, Philip Anderson, stated that there are strong Federal partnerships in many fisheries managed by the states, and that both Federal government and the states share in the successes and failures of federal FMPs.

Rep. Miller asked how the tribal and non-tribal share of the fishery was allocated, given that the fishery is managed upon size, sex, and season. Anderson replied that technology was not available to provide for a pre-season estimate of crab catch, so the fishery is managed by equating time in an area as opportunity. The rules were the same for gear types, tribal and non-tribal. The California Democrat reminded the panel that the Council has other more pressing issues to deal with such as salmon and groundfish, so this (the Dungeness Crab management) was a good allocation of authority to the states. Mr. Anderson agreed, saying the Council needed to focus its resources on more pressing problems that involved interjurisdictional issues, and was comfortable letting the states handle Dungeness crab in federal waters.

LEGISLATION INTRODUCED

Rep. James Saxton (R-NJ), on February 2nd, HR 3164 entitled the "Hydrographic Services Improvement Act of 1998".

Rep. Fred Upton (R-MI), on February 25th, HR 3260 to amend the National Sea Grant College Program Act to exclude Lake Champlain from the definition of the Great Lakes, which was added by the National Sea Grant College Program Reauthorization Act of 1998.

Sen. Patty Murray (D-WA), on March 6th, S 1726 entitled the "Dungeness Crab Conservation and Management Act".

Sen. Spencer Abraham (R-MI), on March 10th, S 1738 to amend the National Sea Grant College Program Act to exclude Lake Champlain from the definition of the Great Lakes, which was added by the National Sea Grant College Program Reauthorization Act of 1998.

Rep. James Saxton (R-NJ), on March 12th, HR 3445 entitled the "Oceans Act of 1998".

Rep. James Saxton (R-NJ), on March 12th, HR 3460 to approve a governing international fishery agreement between the United States and the Republic of Latvia.

Rep. James Saxton (R-NJ), on March 12th, HR 3461 to approve a governing international fishery agreement between the United States and the Republic of Poland.

Sen. Carl Levin (D-MI), on March 13th, S 1760 to amend the National Sea Grant College Program Act to clarify the term Great Lakes.

Rep. George Miller (D-CA), on March 18th, HR 3498 entitled the "Dungeness Crab Conservation and Management Act".

Sen. Spencer Abraham (R-MI), on March 24th, S 1823 to amend the National Sea Grant College Program Act with respect to the treatment of Lake Champlain.

Rep. Fred Upton (R-MI), on March 24th, HR 3544 to amend the National Sea Grant College Program Act with respect to the treatment of Lake Champlain.

Rep. Thomas Manton (D-NY), on March 30th, HR 3595 to reauthorize the Comprehensive Environmental Response, Compensation and Liability Act of 1980.

Sen. Slade Gorton S. (R-WA), on April 1st, S 1904 to amend the Elwha River Ecosystem and Fisheries Restoration Act to provide further for the acquisition and removal of the Elwha dam and acquisition of Glines Canyon dam and the restoration of the Elwha River ecosystem and native anadromous fisheries, and for other purposes.

Rep. James Oberstar (D-MN), on April 1st, HR 3674 to amend title 46, U.S. Code, to clarify that the Secretary of Transportation does not have authority to collect user fees for navigational assistance services, including icebreaking.

Sen. Paul Coverdell (R-GA), on April 2nd, S 1923 to amend the Federal Water Pollution Control Act to ensure compliance by federal facilities with pollution control requirements.

Rep. Ron Paul (R-TX), on April 28th, HR 3735 to disapprove the bycatch reduction device rule in the Gulf of Mexico shrimp fishery.

Rep. Bart Stupak (D-MI), on April 30th, HRes 418 urging the President and the Senate to prohibit the sale of diversion of Great Lakes water.

Rep. Jack Metcalf (R-WA), on May 7th, HRes 425 regarding U.S. policy at the 50th annual meeting of the International Whaling Commission (IWC) in Oman.

Sen. Olympia Snowe (R-ME), on May 8th, SRes 226 expressing the sense of the Senate regarding U.S. policy at the 50th annual meeting of the IWC.

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